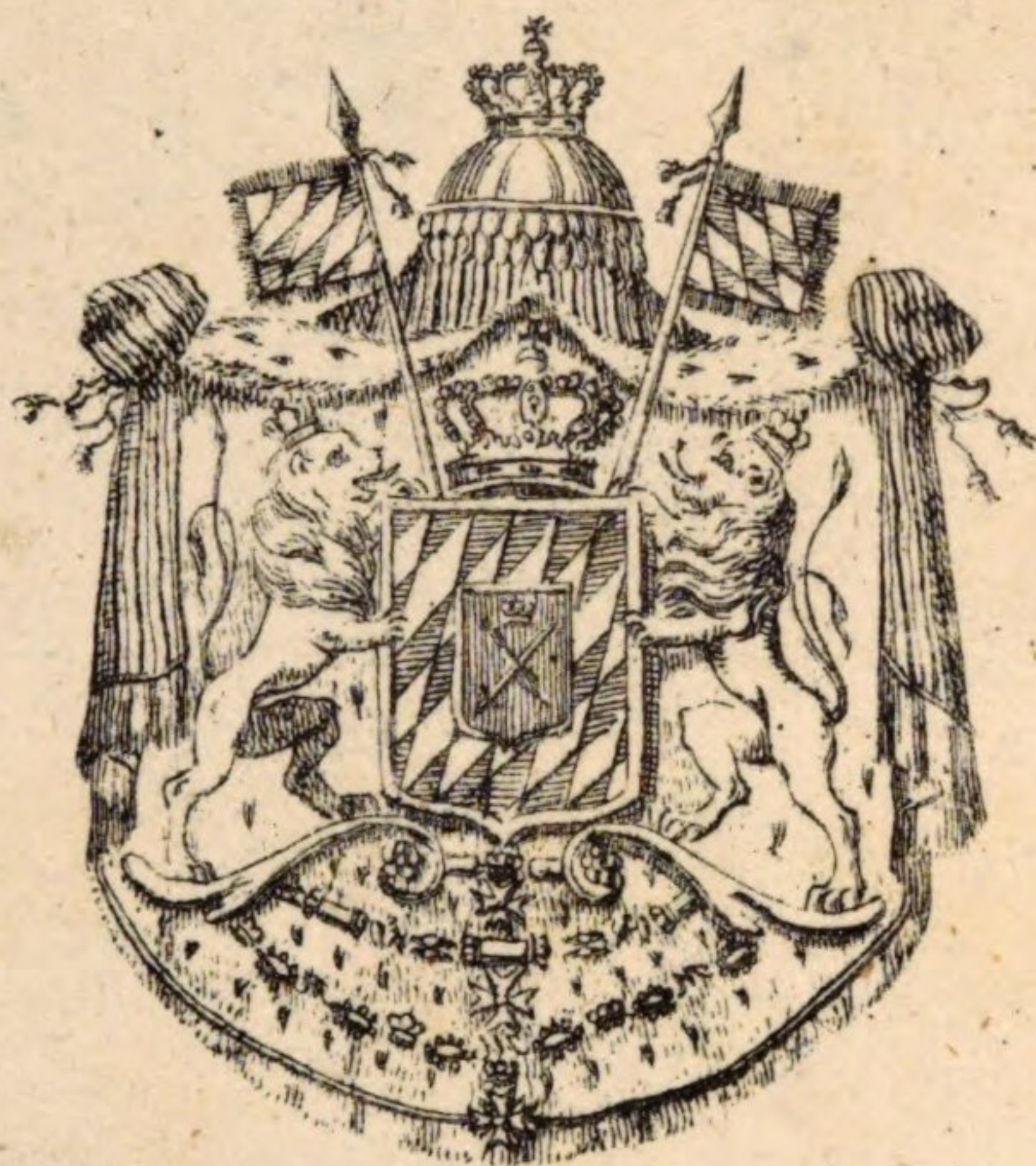


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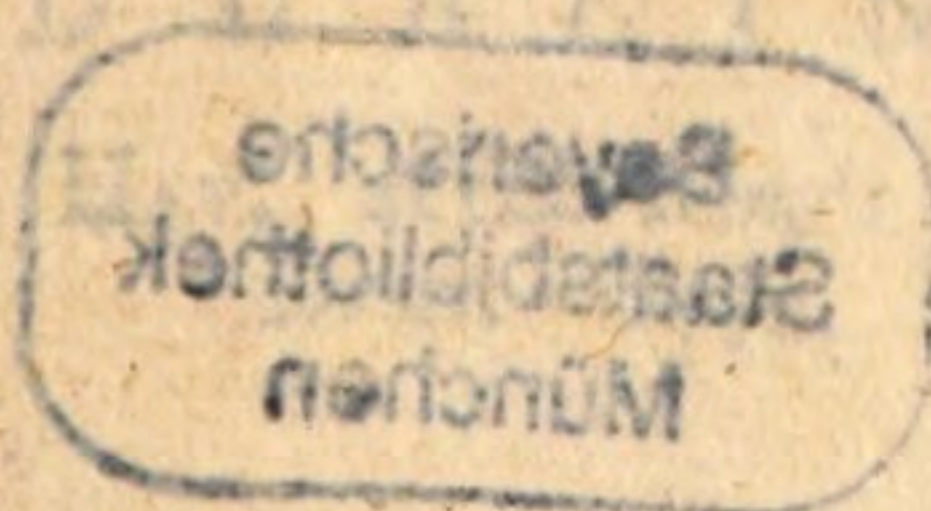
STATE PAPERS

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TO WHICH ARE ADDED
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A Select Collection of
STATE PAPERS.



DESIDERATA
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OR

A Select Collection of

STATE PAPERS;

CONSISTING OF

ROYAL INSTRUCTIONS, DIRECTIONS,
DISPATCHES, and LETTERS.

TO WHICH ARE ADDED,

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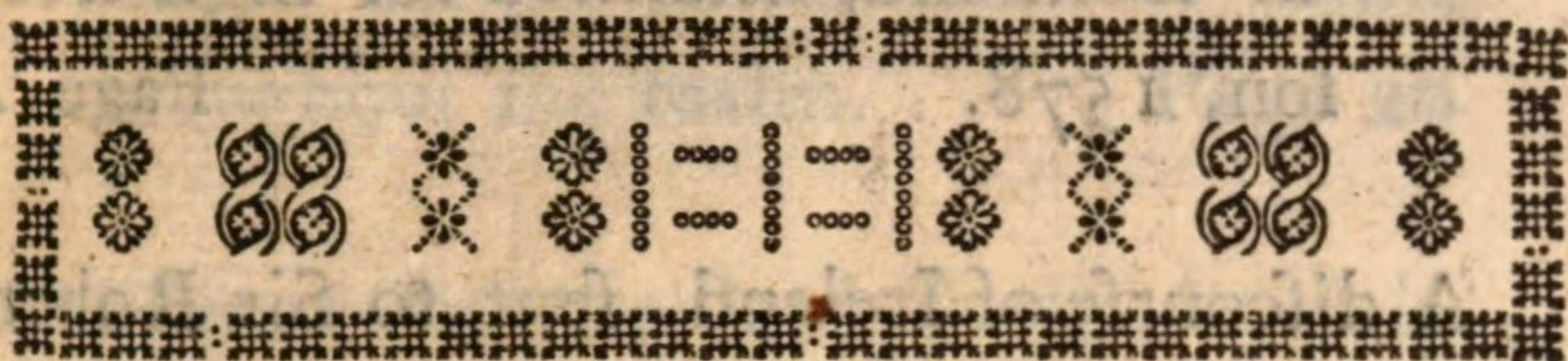
The Whole illustrating and opening the Political System
of the Chief Governors and Govern-
MENT of IRELAND, during the Reigns of
Queen ELIZABETH, JAMES the First, and
CHARLES the First.

VOL. I.

Faithfully transcribed from their Originals, or authentic Copies.

DUBLIN:

Printed by DAVIN HAY, at the King's Arms, in Parliament-
Street. 1772.



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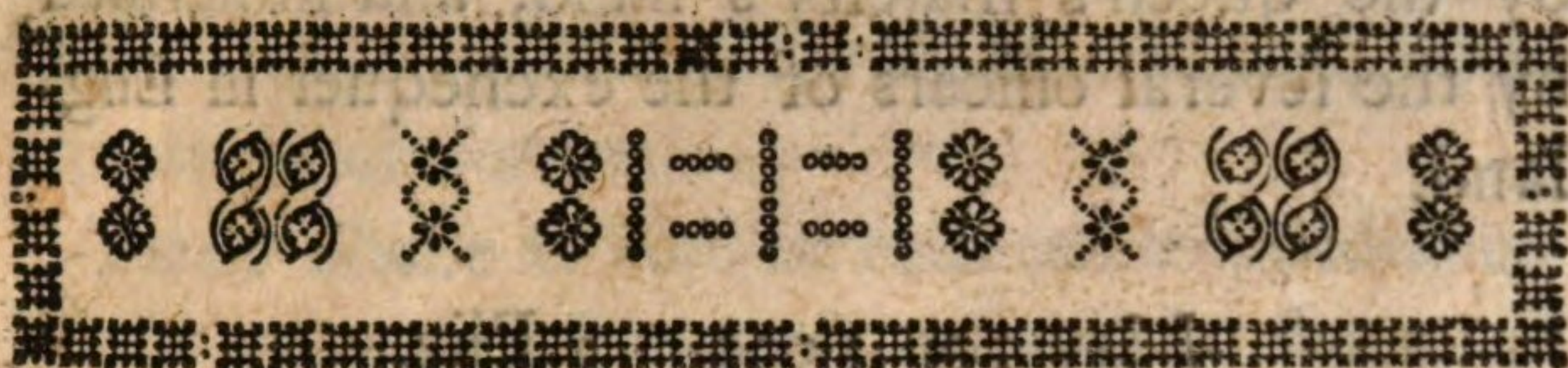
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ORIGINAL



ORIGINAL PAPERS.

A COLLECTION of fundry things, concerning instructions for the earl of Suffex.

ANNO 1559. *Primo Elizabethæ.*

MPRIMIS. A new survey to be made of all lands, both spiritual and temporal; and no leases to be made, but upon the best survey: the old leases for customs of ports not to be renewed without increase.

LEIX and Offally, with Iry, Glanmacaliry, and Slewmarginie, be distributed according to an act of parliament, and the tenants to have the same to them and their heirs males.

THE exchequer to be reformed according to the order of the exchequer in England, whereof

a book was delivered to the lord deputy, signed by the queen's majesty's hand, and subscribed by the several officers of the exchequer in England.

May 10, 1559. 2 Eliz.

ONE thousand pounds for entertainment with fifty horsemen, and fifty footmen; and for increafe, a yearly allowance of five pounds sterling.

THE garrison allowed to be m iiii. iiii xx. viz. horsemen three hundred, twenty six footmen, 864 kernes, 32 ports.

THE port corn to be reserved for discharge of victualling the army, to procure habitations of the English people in Ulster, to recover Lecale, Newry, and Carlingford, from the possession of the Scots; and to recompense Sir Nicholas Bagnall for his interest.

THAT M'Carty More may be reduced to an estate after the English manner, as Thomond and Clanrickard are.

ANNO 1560. 2 Eliz.

THE earl of Suffex made lieutenant of Ireland. Authority to build castles, &c. in Leix and Offally. To people the countries, so as no estate be made larger to any but to them, and the heirs males of their body. A full pay was made by the earl of Suffex, the 26th of May, 1560.

AUTHO-

AUTHORITY for the order of the North, that **Sourley-boy** the Scot may be admitted tenant of such lands, as he claims by inheritance, with reparations of service.

THAT **Shane O'Neil** be reduced to obedience by all manner of means, as well by force, if need be, as otherwise.

THAT the baron of **Dungannon**, if it shall be found meet by the lord lieutenant, may be invested in the earldom of **Tyrone**.

THAT the **O'Brien's**, adversaries to the earl of **Thomond**, may be apprehended.

THE clerk of the council made secretary.

THAT in the next parliament, a state be there made, for avoiding of frauds of uses, according to a statute made the 28th of **Henry** the 8th.

THAT upon information given of the dispositions of the Irish captains, to surrender their lands, they may have estates in tail, by letters patents under the great seal of England, to them, and the heirs male of their body.

The Combination of GEROT, late earl
of Desmond, attainted of high treason,
1578.

WHERE the right honourable Gerot, earl
of Desmond, hath assembled us his
kinsmen, followers, friends, and servants, about
him, after his coming out of Dublin, and made
us privy, as well to such articles, as was by the
lord deputy and council delivered unto him the
8th of July 1574, to be performed; as also his
answers to the said articles; which answers we
find as reasonable, as we with one accord do
council and advise the said earl not to consent
nor yield to any more than in his said answer is
already granted. And further, the said earl de-
clared unto us, that if he do not yield presently
to the performance of the same articles, and put
in his pledges for observation thereof, that then
the lord deputy will bend his force, and make
war against him. We the persons underwritten,
do advise and council the said earl to defend
himself from the violence of the said lord de-
puty, that doth ask as unreasonable a demand,
as in the said articles is contained; and for to
defend and stick to this our advice and council,
we renounce God, if we do spare life, lands,
and goods, but will be aiding, helping, and
assisting the said earl, to maintain and defend
this our advice against the said lord deputy, or
any

any other that will covet the said earl's inheritance.

In witness, that this is our council to the said earl, we have hereunto put our hands, the 18th of July, 1574.

Gerot Desmond.	Daniel M'Canna, of
Thomas Lykesnae.	Drombame.
John of Desmond.	James Ruffel.
John Fitz-James.	Richard Fitz-Edmond.
Rory M'Sheaghe.	Gerald Ulick.
Moroughe O'Brien.	M'Thomas of Baillun-
Moriertagh M'Brien,	carrighe.
of Louhorthe Ta,	Ulick Burke.
R. E. F. D. K. B.	John Fitz-William, of
Theobald Burke.	Rarnedurhe.
Donell O'Brien.	Teighe O'Sheine, of
Richard Bourke.	Chairreyleye.
John Browne.	

A Discourse of IRELAND, sent to Sir Robert Cecill, her majesty's principal secretary, from Sir George Carey, 1601.

AMONG the great affairs of estate, this kingdom of Ireland is not of least account, being the second kingdom over which her majesty weareth a crown ; and therefore, as the second jewel to be preserved, and as near

My as may be to be made a help unto England; but since (as the state now standeth) so good an expectation is not to be looked for, yet in wisdom, is to be endeavoured to make it as little chargeable to the crown of England, as may be. The common opinion received, and by the rebels published to be the principal motives of their late and former rebellions, since her majesty's reign, is supposed to be religion; but therein, let no man be deceived, for ambition only is the true and undoubted cause that moves the rebels, and others of this realm, to take arms; though the English race, and the Irish have different ends. The English, to recover again the supreme government, in bearing her majesty's sword by one of themselves, as for many years and ages they have done, and generally striving to have the captainries of their countries, like the Palatines, in their own hands, not admitting of sheriffs, or other officers of justice, to restrain their barbarous extortions, or to overlook them: thus far, only, the ambition of the English reacheth; for to be subjects to any other prince than to her majesty, or her successors, no man can think them so sottish as to desire it; and to be in any other quality (than in the state of a subject) they cannot be so foolish as to propound any hope that the Irish rebels aim at a higher mark; still retaining in memory, that their ancestors have been monarchs, and provincial kings of this land; and therefore, to recover their former greatness, they kick at the government,
and

and enter into rebellion, losing no times of advantage, or refusing the least foreign aid, that may (by troubling the state) advance their desires, hoping in time, by strong hand, to regain the crown of Ireland to themselves. These several ambitious swellings in the hearts of the English and Irish rebels, which in the end, if their desires were gained, would prove the ruin of the English, which yet they foresee not, are the true grounds of their continual rebellions; and to draw multitudes of the meaner sort of this kingdom unto them, they mask their ambition with religion, making the same their stalking horse, to allure the vulgar to crown their fortunes: and now having these later years, not without great loss unto themselves, tried the uttermost of their forces, and find it to be a work impossible, by their own swords, to compass their several ends; yet, out of two hopes conceived, they remain in their former obstinacy, neither of which succeeding (as they expect) this kingdom will be more out of frame, than hitherto it hath been; the one is the coming of Spaniards to their aid, the other whose days the Lord multiply *ad infinitum*, is her majesty's decease: either of these will make all this that is past, but a shadow or nothing in respect of the troubles that will follow. But as for the latter, being a thing by good subjects not dreamed of, is purposely omitted, intending only to speak of the first, which is very worthy of consideration. By all intelligencies that can be learned,

A 4

they

they do persuade themselves, that this summer the king of Spain will send them succours, which, if he do, no part of the kingdom, no not the city, will be free from rebellion: as well in regard of rebellion, they have to that nation, and to their religion, as to the inveterate malice they have to our religion, and us, there is no question; but the queen will be able to expel the stranger, and suppress them. But the doing of so great a work, will cost England a greater price than Ireland is worth, and bring the same into such a consumption, as many years will not restore it to its former wealth. To avoid this present mischief, one of two ways must be taken, either a peace with Spain, or a pacification with the rebels here; and both of them, in wise mens opinions, easy to be wrought, if they were attempted: the first, upon indifferent terms, he being so great a monarch, and this heretofore desired by himself, is far from dishonour; and the other may be so handled, as it may be no less honourable. The rebels are yet wavering, fearing their own ruin, if Spain fail them; and therefore, the time now fits to take the occasion to appease them. Upon Tyrone, only, depends all the mischief; and some do report, that he would be glad of her majesty's mercy, and so he may be wrought (if his estate be so weak, as is reported) as that he should seek the same, whereby the queen's honour, which is most religiously to be regarded, is not only preserved, but increased by the abundance of her
mercy

mercy to so infamous an offender. If he were reduced, the charges which the coming of Spaniards will put the queen unto, were eased, for then the cause of their coming into Ireland, is lost; but if they come, then, the question is, whether he may be entreated to be a subject, aiming as he doth to wear a crown, and living in so great hope of the same, by the Spanish aid. Farther, 'tis most certain, if the king of Spain send no men, and do but supply them from time to time (as of late he did) with money and ammunitions, that the Irish being greedy of wealth (as long as money may get men within this poor nation of Ireland, they cannot want) will remain in rebellion, to wear out the time, until that fearful day before-mentioned. Wherefore, to prevent the danger threatened, either a peace with Spain, or a pacification here, were fit to be taken; whereof, the first is most expedient, most honourable, and easiest; but if the latter shall be better allowed of, then the surest way to effect it, is a sharp prosecution, before his aid can come, which will enforce him unto it. The scope and end which all men conceive, is aimed at in England (both by her majesty, and her council) is chiefly respective to the present, for the diminution of the excessive charges which Ireland now costeth, and not to continue the exhausting of treasure, and loss of men, to ease future times, but to let that time provide for itself; for we may be assured, that all the cost which shall be now bestowed upon this realm,

realm, will be then meerly lost. Busy heads, maligners of the present, and those especially which can least judge of matters of estate; or those of English birth, that have inheritance in Ireland, and such as live by the war, will repine at any pacification, but by the sword; the one, because they malice the state; and the other too desirous to make it exemplary: the one of them hoping by the same, to live more quiet in after times; and the other to have crowns to maintain them for the present: but none of them all respecting the loss of men and money, that must be consumed in finishing the work. Kings, and bodies politicks, are to do that which is most requisite, for the benefit of their estates, and not to give their councils according to mens particular fancies. The king of France is a good patron to be followed; in him it was accounted wisdom, and among wise-men not thought dishonourable, to buy in his rebels with offices and assignments, grounding evermore, for a maxim, *qui all proffit, a l'honneur*. How can it then be reputed dishonour in the queen to give mercy only: but if her majesty's indignation against the arch-traytor Tyrone, be so deeply rooted in her royal breast, as that it cannot sort with her princely greatness, to leave so wicked an offender unpunished; yet, to renew amity with a king, is both honourable and christian-like, the doing whereof, will, in a short time, enforce these beggarly traitors to run desperate fortunes to their present

sent ruin ; whereas, to the contrary, so long as Spain shall relieve them with men or money only, there is no hope to see an end of this rebellion ; but every day will relapse from ill to worse. How you are persuaded in England of the coming of Spaniards into Ireland, is not known unto us ; but we, here, (besides the daily rumours spread amongst the Irish) have intelligence by merchants of this country, that their coming is reported in Spain, and in reason there is greater cause to believe it now that the king will send them succours, than before, because Tyrone's son is as a pledge in Spain, before which time, the little ammunition that came thence, was sent by the clergy ; but the last, which was a great proportion, and with it money, was sent from the king, and with it particular presents of chains and jewels, to Tyrone and O'Donnel, and letters of assurance, that he would never fail them with assistance to their contentment ; and for the speedy accomplishing of that promise, the Spanish bishop, Fr. Oviedo, called the archbishop of Dublin, is purposely gone to negotiate and effect the same, taking some oaths upon the sacrament, publickly to return with forces before Lamas next ; and for the better assuring of the Irish, that he meaneth to deal faithfully with them, he hath left in Ulster, his servants, of most trust, behind him ; all his household stuff, which is said to be very rich, and his plate, valued, by them that saw it, at 2000*l*. These circumstances duly considered, there is
little

little doubt but the rebels shall have aid, which will breed a long and a chargeable war, if it be not timely prevented by one of the two ways before-mentioned.

A brief memorial of instructions for Mr. Edward Tremaine, being sent to the lord deputy of Ireland by the lord treasurer, 1573.

FIRST, you shall require, that the said lord deputy will advertise her majesty, either by letter, or for more certainty, communicate unto you at good length, what was and may be the causes of his so earnest desire to have come over into England, and thereof to bring a full declaration, both in writing and otherwise, with all such other things as shall seem necessary to be answered from thence upon your return.

To understand and bring report what are the ordinary charges at this present in Ireland, and what numbers also be in pay, and where the same are bestowed in service, and therewith to certify when any numbers were discharged, and at what times the same rooms have been recharged, and what be the numbers now exceeding your numbers appointed in March was twelve months, to remain.

To understand what money hath been received of the revenues of the impost of wines,
since

since Michaelmas last, and what is behind thereof; and if this thing concerning the treasure and money cannot be speedily advertised, you, Edward Tremaine, shall not make stay of your return for that, but move the deputy to make certificate thereof with speed.

To understand of the lord deputy and president of Munster, how the estate of that country of Munster now resteth, and how it is to be further governed, and kept in quietness.

Item. What is done with the earl of Desmond and his brother sir John, and what is meant to be done further, and to remember to procure order how the creditors of the said earl, and his brother here in England, may be answered their debts.

To understand also the state of Connaught; how the earl of Clanrickard is stayed, and what hope there is of his loyalty, and how his sons do behave themselves, and what is become of the Scots that served there; and so particularly of the estate of that country, and of the castles of Athlone and Roscommon: and you shall bring report of the earl of Thomond, how he behaveth himself.

You shall also bring report of the matter of the spoil committed against Sir Barnaby Fitzpatrick, and the taking away his wife, his daughter, and others, and upon what occasions the outrage was committed, and who were parties and accessaries thereto, and what is done for the punishment thereof; you shall also bring
report

report of the Cavenagh's and Birne's, in Francis Agarde's charge.

You shall also inform the lord deputy, if our cousin, the earl of Essex, offer to pass into the north of Ulster, and that he mean to carry thither the number of 2000 English persons, able to serve and inhabit such parts of Clannyboy, Gleme, and the Route, as by justice we may authorize him to possess; and because it is very likely, that upon the noise and report hereof, the rebels, and other evil-disposed persons in Ulster, and other parts of Ireland, will shew their discontention by some attempts of disorders, the deputy and council shall not only be careful, to cause our English pale towards Ulster to be presently defended, and a good guard to be set upon other places, but also they shall cause to be notified, that his coming is not to offend any Irish that will become a good and obedient subject, but only to withstand the incursions of the Scots, who have so of late entered into that realm, throughout, and by the said north parts of Ulster, by invading and overrunning of Connaught, entering into Munster, and spoiling some part on the east side of Shannon, as the like hath not been seen in any like time, nor may not be suffered: and therefore all good means shall be used to stay the lewd attempts of the Irish, in all places which are like to be stirred by colour of the reports of this the earl's coming over: and of this the earl's enterprize, the deputy shall inform us
what

what is meet to be done for the good atchieving of so honourable a service.

A N D whereas the special matter that seemeth to have moved our deputy to have come over unto us, was for the appeasing of the stirs in Leix by the O Moor's, that is thought, that by the means of concurrency of the earls of Kildare and Ormond with her majesty's, now being there in with wages, these stirs should not require any increase of charges, especially to increase the number of soldiers, the said rebels and O Moors being but a small strength or number; and when the earl of Essex shall be come into Ireland with his numbers, whereof we think the greater part shall be there before the 20th of August. It is to be thought that our bands now in wages, and the numbers coming with the said earl, shall be sufficient to withstand any attempt of the Irish, so as also, if the said deputy shall have need to increase the bands for any exploit for any short time, he may have from the said earl the assistance of 200 or 300 of his forces, or more, giving them like wages as other of our garrison have, which we shall well allow of; and considering that our said cousin shall not be able to come with his forces before August, our deputy shall do very well to consider how in the mean time those parts in Ulster near Knockfergus, as namely, the Ardes, and the rest of the countries where corn is sown, might be preserved from the spoil of the rebels, that at the coming of the power of
the

the said earl they may be relieved with the corn growing there.

Y o u shall also require the lord deputy to advertise us upon what occasions he gave commission to Sir John Parrott to sell the ship and goods of Marulls, which arrived in these parts, the same being French, and the goods some belonging unto Spaniards, some to the Portugalls, some to Italians, and some to Flemings : for that Sir John Parrott, being charged by our council for his so doing, hath sent, in his excuse, a copy of his commission from the deputy, by which authority he made the sale ; whereof we marvel, seeing the same agreeth not with proceedings here in like cases : and particularly you may declare unto him, neither had he any direction from hence for that purpose.

FINALLY, the deputy shall advertise his mind in all matters meet to receive answer from hence, with assurance of the faithfulness of the messenger Edward Fremayne.

Instructions

Instructions for Sir Henry Walloppe, Knt.
under treasurer at war in her majesty's
realm of Ireland ; Sir Valentine Brown,
Knt. and the rest of the commissioners
appointed to take a survey of the lands
of such as have rebelled within these
four years in the said realm, and have
no lawful pardons for the said lands.

IMPRIMIS. To inquire who were the occu-
piers of any lands reputed to have been the
rebels, what estate they had therein, either by
lease, or at will.

Item. In what parish, towns, baronies, and
shires the same lands do lie.

Item. What profit of victuals, rents, in
money, corporal services, or otherwise, they
yielded. What was the yearly value of their
victuals, or their services. How the tenants
commonly were burthened with coyne or livery,
cosher or cudda, or such like actions, and what
ordinary charge they had yearly or quarterly of
Gallyglafs.

Item. To enquire of the quantity of their
lands occupied, by estimation, of plow-lands
or acres ; and in case doubtful of the estima-
tion, to measure the tillage, meadow, and pas-
ture, how much was used to tillage, to pasture,
and meadow, how much was accounted bog
and waste.

Item. To inquire how many ploughs the tenants did occupy, and how many servants and garrons they used for their ploughs : how much corn did increase thereof, *communibus annis*, and what kinds. How they did sell their corn, if they had any to spare, and for what price.

Item. How many cattle and bestials were maintained of all sorts in time of peace, as horses, mares, fundry kind, sheep, hogs, goats, or other kind.

Item. What woods of timber and other underwoods are growing on the same lands, and how near the timber-woods be to any sea-port or navigable river.

Item. What minerals are known to be growing in the said lands, and whether there have been any profits made upon any of the same, and what did follow thereof.

Item. How many people the tenants did commonly keep in their several households with meat and drink.

Item. To make a description of the situation of the said lands, and namely, of the castles, or houses of strength, with their lands ; how they do but and bound, and upon whose lands ; and to consider what castles, or houses of strength, are meet to be reserved to the queen's majesty's own use, in respect of their situations for the government of the country, and those to be in the custody of constables, with reservation of some victuals for the maintenance of the guard, if any shall be.

Item.

Item. If the castles or houses be decayed, to inquire how long since they have been in decay, and by whom, or what means, they have been decayed or defaced, and whether it be necessary to have them repaired, and with what charge it may be done.

Item. To inquire of all kind of liberties and royalties belonging to the said castles and feignories; what services are done by any other to the same, and how such liberties have been granted.

AND although all liberties are commonly by messuage in the subjects hands hurtful to the commonwealth, yet to inquire whether her majesty may not do well to review liberties of leets and law-days, without continuing power to have writs returned, or to have *bona fellonum*, or wrecks, or such like.

Item. To enquire what patronages of colleges, or such like, as parsonages and vicarages, did belong to any rebels, with the value thereof, and who are the incumbents, or otherwise, how the profits thereof are bestowed or used.

Item. To measure the demesns of all rebels lands occupied by themselves, or in their own manurance, without taking yearly rents or profits, and to reduce the acres to plough lands, according to the custom of the country, and to value the acres rateably according to the several accounts of perches, the measuring whereof differing in many places, do make the quantity of the acres and the plough-lands also dif-

fer ; and thereof in the valuation of the lands to answer yearly rents, there would be had consideration.

Item. To consider, that where her majesty is to dispose the lands to her good subjects and servants, with reservation of rents by years, or for three lives, or in special fee tail, there would be regard had, that for the first five or seven years the rents should be small, and to increase more at ten or fourteen years.

Item. To enquire who had the occupation and the taking the profits of any of the lands escheated to her majesty, by reason of the rebellion, and by what warrants the said profits have been taken ; and if any have had *custodiam* of the same, to make entries thereof in the surveys, whereby her majesty may be answered that which shall be due unto her ; and the like to be done of those that have intruded themselves without a warrant, so as they may be charged with the receipt of the profits.

Orders to be observed by the justices of peace within their several limits throughout the realm.

THAT they, or three of them at the least, whereof one of the *quorum*, shall hold quarter-sessions four times in the year, within their several shires, according to the laws and course used in England ; the same sessions to be duly summoned, appearance of gentlemen and freeholders

freeholders to serve the queen upon enquiries, to be strictly looked into, and the fault to be securely punished by amerciamment or otherwise, without respect of persons.

THAT in the charge to be given to the grand jury it be remembered, besides ordinary matters of inquisition, to enquire especially of all penalties of statutes forfeited to her majesty, of all forfeitures of recognizances, of contempts and breach of her majesty's peace, of winking at offenders and malefactors, of all confederacies and interparlees with traitors or notorious known thieves, and of all other things tending either to the maintenance of her majesty's peace and laws in the country, or otherwise regarding her highness's profit or general service, in what sort soever.

THAT the justices and sheriff shall cause all the inhabitants within the shire, between the age of sixteen and seventy, as well men as women, to be booked, and sworn to their loyalty to her majesty; and such as shall refuse, to be committed to the next gaol, there to remain until they shall perform the same. That in the charge of every session, this be especially inquired of, and the offenders punished.

THAT they have a general muster twice every year in the several shires, and therein to foresee chiefly that every man be furnished with armour and weapons according to the rate of his tenure, and as the law limiteth, that the numbers of the able men within every barony may

be exactly viewed and set down, and the same certified to the lord deputy, or other governor for the time being; to the end her majesty may know what strength she hath both of men and weapons in every shire.

THAT there be butts made in every parish, according to the usage of England, for the exercising of archers; and common pounds in like sort, the same to be made and kept in repair at the charges of the parish, upon pain of, &c.

THAT two high constables be chosen within every barony, they to be substantial gentlemen, and to be sworn by the justices to her majesty for their loyalty; and they to execute their office in all things according to the laws and ordinances established in England; for the which they shall have printed books sent unto them, the better to instruct them in their charge.

THAT two petty constables be chosen and sworn within every barony, and they to apprehend and send to the gaol idle persons, spies, carraghers, barnes, false messengers, travelling to and fro, persons disloyal, or so suspected, and to see stocks be made, night watches kept, her majesty's peace maintained, and to do all other things which appertain to their office, according to the laws and usage of England.

THAT there be two overseers and searchers chosen and sworn in every parish by the high constable, they to have authority to search any suspected persons houses within their parish for beef, mutton, pork or swine killed; and if
any,

any, not being gentlemen of good account in that parish, shall kill any such beast or cattle as is aforesaid, without making the said overseers privy to the same, and shew not the mark to them, or one of them, before they kill it, the offender to be imprisoned and fined at the discretion of the justices in the next quarter-sessions : this article to be enquired upon at every session, and the offenders to be punished as aforesaid.

THAT the justices of the peace do cause the high constables, and petty constables and overseers, to see that all manner of cattle, stud mares, sheep and lambs, be marked with iron marks or ear-mark, within ten weeks after warning given by proclamation, to be made in the good towns within the shire, upon pain that every offender herein shall forfeit his cattle, stud mares, sheep or lambs, that shall be found so unmarked, the moiety whereof to be to the use of him that will give information, and the other moiety to the poor of the parish.

THE justices of peace to cause the contents of this article to be published by proclamation, according to the limitation of the said article.

These articles to be left with the *custos rotulorum*.

JOHN PERROT.

Instructions for the Lord GRAY, in July
1580. ELIZ.

WHEREAS at the late humble request of our
servant serving
presently in that our realm as justice, we are
moved to disburthen him of that government
committed unto him, and to send thither ano-
ther to supply his place, in respect of the good
opinion we have conceived, not only of your
wisdom and judgment as well in martial as civil
affairs, but also of your integrity; we have
made choice of you to take that charge upon
you, not doubting but the good effects of your
government there will fully answer our expecta-
tions and hope, and though it shall not be very
needful to give long instructions for the manag-
ing of the affairs of that realm to one of your
sufficiency, yet we have thought it good to deliver
unto you (before you repair over) a short memo-
rial of these points following:

FIRST, For the better direction of yourself
in that government, you shall duly observe such
instructions as are contained in the late orders
annexed to a certain establishment set down by
us, as also such other instructions as have been
given to such as lately had the government of
that realm, and are thought meet to have con-
tinuance still, of all which you shall have the true
copies delivered by one of our secretaries.

AND

AND whereas our subjects of that country birth, have, as we are informed, conceived, that we have determination as it were to root them out, with an intention to place there our subjects born in this realm, we would have you seek by all the means you can, to remove that false impression wrought in them by certain seditious and ill disposed persons, that would be glad to work a divorce between us and our subjects there : whereas in truth we being interested alike in our subjects of both these our realms, do carry like affection to them both, unless through their unnatural and undutiful dealing, and by having intelligence with foreign princes, as lately certain of them have had, they shall give just cause to the contrary.

AND for that it is often seen, that where garrisons are, many violences and outrages are offered to the inhabitants where the said garrisons are placed, our pleasure is, as we assure ourselves you will, you have an especial care to see that by the impression and insolence of the said soldiers (where they shall be placed) our good subjects in that realm may not be alienated in devotion from us, by their misbehaviour.

AND to the end that our care in this point may be notified to our good subjects in that our realm, we think it meet, that the same should be made known unto them by some proclamation to be made by you published in that behalf, and to see the offenders severely punished, without sparing the captain or head officers, in case they shall be found faulty.

AND

AND whereas we find the wars in that country and realm both chargeable to us and burthensome to our subjects there, we are very desirous to see a good and short end of them, and therefore we think it very expedient, that as soon as may be after your arrival in that realm, you make your repair into the province of Munster, and there confer with the justice and such other of our counsellors as you shall understand to be best experienced in the affairs there, in what sort the rebels may be most effectually prosecuted, and accordingly to dispose and employ not only such numbers of soldiers as are presently sent over from hence, but also those that are already there. And for that the said justice in respect to his skill in martial affairs, and the experience he hath had in the late service will be a good assistance unto you; as also for that you may be otherwise upon some necessary occasion called from thence, and employed in some other places of the realm, we are pleased that he shall continue there until the present war shall be ended, and to supply the place of a counsellor in that realm, to whom we think meet you give such allowance during his employment there, as by you and the rest of the council of that realm shall be thought meet.

AND in case the wars in Munster shall not be ended before Allhollontide next, forasmuch as after that time (as we are informed) there can be no great matter attempted to the annoyance of the rebels, whereby the number of soldiers presently

presently there, and that to
be sent over from hence
thence in the winter to no great purpose, but be
chargeable to us and burthensome to the coun-
try, you shall in this case, with the advice of
our council there, discharge in the numbers as
by you shall be thought meet, retaining notwith-
standing, so many as being placed in garrison there
may be sufficient to keep the rebels from annoy-
ing and spoiling our good subjects; foreseeing
that in the said discharge, you cashier none of
the captains of
our garrisons placed in that realm
before this rebellion, nor others who for their
long service in that realm have been lately ap-
pointed to change as captains, for that other-
ways we should have been driven to allow them
pensions, besides it would be cared for that the
armours of those that shall be discharged, should
be retained and preserved for the use of these
countries for which they were levied.

AMONGST other things, whereas by expe-
rience it hath been seen that our governors here-
tofore there by our easy and common granting
of pardons and protections to notorious trans-
gressors of our laws, have thereby
boldness in the offenders and subjects of that
realm, our pleasure is, that according to such
instructions as heretofore have been given to
some of our said governors, you have an especial
care to grant neither pardon nor protection, but
upon some great apparent cause of importance
tending

tending to the advancement of our public service in that realm, and in case any pardon upon some special cause shall be granted, we think meet, that the fact for which the pardon shall be granted be expressed, and not run in general terms as heretofore hath been accustomed.

A memorial for Sir JOHN PERROT, Kt. appointed by her majesty to supply the place of her highnesses deputy in Ireland, delivered unto him by the lords of her most honourable privy council.

IMPRIMIS. To confer with the council there how her majesty's charges of victualing of the army may be eased, especially, that there may be no charge of provision and transportation out of this realm of such provisions as otherwise may be made in respect of the charge of transportation, and the adventure to certify what resolution may be taken herein. For the better training up youth in that realm in the knowledge of God, and good learning, it were necessary that some college were erected, for which purpose consideration is to be had how St. Patrick's in Dublin, and the revenue belonging to the same, may be made to serve for that purpose, as it hath been heretofore intended; as also to consider how by parliament some contribution may be given out of every diocese, to be charged upon the leases of impropriated personages;

sonages ; such also as are inclined to civility would be moved to yield voluntarily, and with good contentment, some yearly contribution to be charged upon their lands, whereby readers and instructors of youth might have convenient salaries.

AND whereas it is found requisite, that for the better accomplishing of such things as are like to be propounded in the parliament, intended that there should be some new barons, it is therefore thought meet, that there should be conference with the council and others of best judgment there, who shall be fit both for livelyhood, wisdom and loyalty to be called to that estate and degree, and to certify them hither, to the end you may receive from hence some authority for their creation.

AMONGST other things that are to be proposed for the next parliament to be held there, an act is to be drawn for the renewing of the impost, being about ten years past expired, which may have continuance for the space of years : and touching the levying and getting in of such debts and arrears as be due in that realm to her majesty ; for which purpose a special commission is directed unto you and certain others.

WE think it very expedient for the better performance of that which is required, that both you and the rest of the commissioners do follow, as near as may be, those ways and means prescribed and thought meet in the order
annexed

annexed to the establishment, and in certain answers and opinions set down by Sir Walter Mildmay and other special commissioners unto certain articles, which were in March 1578 sent to Sir William Drury with his instructions, the copies of which establishment, orders, and articles, with the said answers and opinions, as also the said instructions shall be delivered unto you.

AND whereas the number of pensioners since the beginning of the late troubles in that realm hath been extraordinarily increased to her majesty's great charges, divers having been put in pension, that have been of no long continuance of service neither there nor elsewhere; and so having greater pensions than their former wages, whilst they served captains or soldiers, it is therefore thought meet, that the number of them should be abridged, and such only continued in pay as were set down in the last letters and former establishment, or recommended by her majesty's letters, or such as have been in respect to their maims in the wars there put in pension, and for the rest, that by you and the council shall be found fit to be discharged they may be rewarded with some estates in part of the attainted lands in Munster, according to their several deserts and qualities where they may inhabit.

AND touching the captains and soldiers of the old bands, it is thought meet, that always such as have served there as known captains and servitors, should be continued and preferred in
the

the places of services, before others of whose experience there hath not been made the like trial ; wherein for your better direction, it shall be needful, that you follow such order as hath been set down in the said instructions delivered to Sir William Drury and others, in this point.

THERE hath been also, by reason of their great troubles, an increase of wards in divers parts of the realm, and some (as it is informed) very unnecessarily placed, as namely at Fernes and Enniscorthe, wherein there hath been more regard to the benefit of particular persons having those places in lease, than of the public service ; and therefore it shall be necessary for you to confer with the council there, for the discharge of such wards as shall be found unnecessary.

AND whereas it hath been certified from the justices there, that the two forts of Leix and Offally are greatly decayed, it shall be needful that a survey be taken of the said decays by some well chosen persons, and to be set down with what charge the same may be repaired, wherein care would be had that her majesty may be put to no unnecessary charges, but that all carriages and such kind of labours may be borne by the inhabitants for whose defence the same forts were erected ; there would be also a view taken of those two countries, how they are now inhabited, and by whom, and what estates they have, and to compare the present estate with the former as it was in the act of parliament made in the earl of Suffex's time, when the estates

tates were made in taylor to Englishmen, and to advertise the difference hither, with the cause of the decays and the means to remedy the same.

AND whereas there hath been made, not long since, a grant by letters patents unto Edward Waterhouse and his heirs, for the maintenance of certain boats upon the river of Shannon, containing certain very large and hard conditions towards her majesty and the crown, as also very burthensome to the country next adjoining, by reason of the continual taxations that have been levied upon them for the maintenance of or in pretence of the said boats; for as much as the said Edward Waterhouse hath offered to her majesty, that any thing contained therein that may be misliked shall be by him relinquished: it is thought meet, that the patent be surrendered; and yet, for that the use of said boats is necessary, and that the said Edward Waterhouse hath deserved very well to be favourably considered, there may be a new patent made unto him during his life, to have continuance with an allowance of the entertainment, as by you and the council there shall be thought meet, and with such reasonable clauses and conditions as may be convenient for that service; of which manner of grant to send the copies thereof to the council here, to be allowed of before it be passed there under the great seal.

It is also to be remembered, that such within that realm as have been parties in that late rebellion,

lion, of what quality soever they be, shall not be suffered without special licence in writing, to keep within their houses any armour, or for the space of years, other than ordinary daggers and swords, upon pain of incurring such penalties as by you upon conference with the council there, shall be thought meet.

CONSIDERING to what terms the province of Munster is there, and how that country is depoyled, and how needful it is to repeople it again, so as the same may be with such as shall shew more obedience to her majesty and her crown than hath been of late years, and that considering also there hath come duly by escheat to her majesty, by the forfeitures of the earl of Desmond, and a great number of others, whereof many are dead either by the sword or otherways; it were convenient that you, the deputy, should confer with the council there, and other wise persons, and to receive the opinion of as many as you shall find to be of moment and value, and by debating thereupon, to set down your own opinion, and speedily to advertise hither both your own and the probable opinion of others; and if you shall think that by writing alone there can't be so good satisfaction as to send some discreet person with the same writing, to explain the same, we leave it to you to take choice of some such; and though it may be every man at first sight seem easy to give advice that the lands escheated should be inhabited with obedient people, and that the same should be

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governed

governed by the laws of the realm, as the people in the civil countries of the pale are, that is, by distributing the territories into baronies, and those in hundreds, and those into townships and parishes, and to constitute manors where court barons may be kept, and many such things devised for good government ; yet until it may appear by some diligent surveys what and how much lands are escheated to her majesty, and where the same do lye, and of what goodness the same are, and where there are upon the said lands any castles or houses of strength meet to be continued, or re-edified if they be ruined, and how the former inhabitants were governed, it will be hard to resolve and establish any certain ordinances for the peopling of that province, but upon advice had from you, and certificates of the surveys, her majesty may be the more easily advised in what sort to proceed ; and yet in the mean time because neither of these two, that is, neither your advice from thence, neither yet, the certificate of the surveyors can be had so soon as were requisite, you, the lord deputy, having the earl of Ormond with you, shall do well to consult how to keep those people that are there in obedience, and to comfort them to proceed in their tillage and increasing of their cattle ; and that all those which have remained loyal may be cherished and kept in heart ; and the others that have offended, and that are either pardoned or protected, may be kept under, and yet without any injury, but so as they have no
strength

strength of arms or weapons, nor yet suffered to stray like vagabonds, but according to their qualities to be constrained to live by their labours, wherein you shall do God good service, and make the way more easy for her majesty to govern those that are there, and comfort others to occupy the places that are left without habitation.

Tho. Bromley.

L. Lincoln.

Fra. Bedford.

Ch. Howard.

Chr. Hatton.

Wa. Mildmay.

W. Burleigh.

Amb. Warwick.

R. Leycester.

J. Hunsdon.

Fra. Walsingham.

Instructions given by her majesty to Sir JOHN PERROT, knight, being sent deputy into IRELAND in DECEMBER, 1583.

YOU shall immediately upon your arrival in that realm assemble our council there, and confer with them what course of government (upon due consideration had of the present state of the realm) may be held, so as justice may take place, our charges be lessened, and revenues encreased, and our subjects there not oppressed.

You shall also consider what forces are meet to be continued in pay, and how they are chargeable to us and burthensome to the country,

try, may be discharged ; and also how the horsemen and footmen serving there may be reduced to their old pay, which by reason of the general rebellion in that realm, the countries being wasted, we were driven to encrease, and therefore see no reason but the bands residing in the countries that are not wasted, may live well enough of the old pay, especially being victualled by us, and for the ease and diminishing of other charges in that behalf, we do think it meet, that you should treat with those countries as well in Munster as elsewhere in that realm, to see if you can draw them with good contentment to contribute somewhat towards the finding our said garrisons, as Carbury heretofore hath done.

And for that our subjects in that realm have been very grievously oppressed by the outrages and insolences committed by certain ill affected of our garrisons serving there, which hath been partly a cause of the alienation of the good will which they before bare unto us ; we cannot (as a principal matter wherein we look to have redress) but give you an especial charge, to see that our garrisons serving there be kept in better discipline than heretofore they have been, and that the bands may be kept complete and full as they ought to be, and that such abuses as have been heretofore committed by such captains as have had heretofore more regard to their particular profit than to the discharge of their duties may be met withal, and the party offending severely punished.

AND

AND whereas we are given to understand that the greater part of our province of Munster lyeth waste, and is for the most part unpeopled, we do now think fit, that you should consult with the rest of our council there, how the same may be peopled and inhabited as heretofore it hath been, as also to consider how the attainted lands as well within the said province as within the pale and other places within that our realm, may be let out to our profit, and yet in such sort as the farmers thereof may live and maintain themselves by easy rents at the first for six or seven years, and afterwards to be encreased. But before any estates be made, we think it meet, that the same be surveyed by such special commanders as we do now send over into that realm, and that therewith the advice of the council there should set down your opinion what estates are fit to be made of the said lands, with necessary reservations of rents and services; and after we shall have seen the said surveys, together with your opinion in what sort you shall think meet the same should be let out, we will then presently send over ample commission for the doing thereof.

AND to the end that men may be drawn the most willing to inhabit there, and to become our tenants and farmers; for the avoiding of all scruples of covenants, grants, and other fraudulent conveyances, we think meet, that a parliament should be held in that realm at such a time

as by you and our council shall be thought fittest, as well for the attainure of the late rebels in that realm, as for the assurance of their lands unto us, and also for the dissolving of fraudulent grants, and qualifying the statute of uses, may in any point concern, &c.

AND whereas certain lands of ours being within the pale, that heretofore have been charged with reservation of port corn, which hath been many times ordained to serve for the better victualling of our garrisons, have been contrary to our minds leased out without any reservation of corn; we think meet, that there should be some provision made in the next parliament, that such as do now hold the said lands, should, during the time of their leases, pay a third part of corn, and after the expiration of their leases, to be ordered to pay the whole proportion of corn, and a fourth in money, and so to be ordered in parliament, that no leases otherwise made shall be of force, notwithstanding any clause of dispensation.

AND whereas we have been informed, that some of the noblemen and gentlemen inhabitants in Munster, have served us most dutifully in the late troubles with the hazard of their lives and the loss of their goods and children, whom we think meet for their better encouragement to be rewarded with some portion of the attainted lands there, you shall therefore inform yourself both of what quality and desert they be that are fit to be regarded, as also what portion
of

of the said lands you, with the advice of our council, shall think meet to be bestowed upon them, and with what conditions and reservations of rents and services, wherein we think meet some regard should be had that our regard in that behalf should be bestowed rather upon the younger sons of such noblemen as shall be thought fit to be rewarded, than upon themselves, thereby to make the more families and number of able men to serve us: we think it meet also, that such as have served in that realm, whereof many are now suitors here now unto us for recompence of service, and many also as we think remain there, and they which are here, are by our council referred to your consideration to be rewarded with some part of the attainted lands, being most fit in respect of their experience in martial affairs to be placed and to reside there, and therefore do think meet, that you should certify us, after a survey taken of the said lands, what portion shall be thought fit to be bestowed upon every of them, with a note of the several values, and the conditions meet to be annexed to the same.

AND whereas there hath been an increase of pensioners in respect of services done during the time of the late troubles there, of which we think meet divers to be discharged, according to such direction as you shall receive from our council here, you shall also in recompence of their said service with the advice of our council there, appoint unto them some part of the re-

bels lands, certifying us as before is mentioned, both the value and the conditions how the same are to be let.

IN the distribution of the said lands we find it very necessary that an especial care be had, that no greater portion be bestowed upon any one man than he shall be able to furnish with people and inhabitants, especially such as may employ the same to tillage as the ground shall be meet.

AND whereas in the instructions given to such our deputies as have served in that realm there, are divers points contained in the same, tending to the good government of that realm, our will and pleasure is, that the same shall be revisited by you and our council there in your open assemblies, and all that therein is necessary to be duly put in execution, so far as it is not repugnant to these our present instructions: and as for other matters concerning that realm meet to be considered of, we refer you to such further directions as you shall from our council here be advised of.

AND whereas both in and since the time of this last rebellion began by James Fitz-Morris, and continued by Desmond, many of our subjects in that realm being tenants unto us in diverse parcels of our own lands, and alledging that the same lands, by reason of the rebellion, being wasted, they are grown behind hand with their rents due to us, and so their estates for non-payment in danger of forfeiture, and for these causes

causes have been suitors here, as well that no advantage of forfeiture for the non-payment might be taken against them, as also for a remission of their arrears due unto us; we have thought fit to refer our said subjects and their cases to the consideration of you and the rest of our council in that realm.

AND for the avoiding the danger of forfeiture they stand in of their several estates in respect of their several disabilities to make payment by reason of the same wastes, we have therefore thought it meet, and do authorize you accordingly, to renew unto them their several estates for so many years only as are unexpired in every of them, and for such rents as now they pay, covenanting with them as also with their several tenures, or that shall hereafter renew any lease or other estate, that the fourth part at least be answered in beefs or in wheat, malt and oats at the discretion of our deputy and council; if in beef at ix. sterling, the beefs according to the rates answerable by virtue of our prerogative; and if any or every of the several kinds of grain before specified, at such rates as to our best advantage is answered for any port corn reserved upon other leases in our English pale, or elsewhere in that our realm, of which reservations the deputy being furnished of a convenient portion, our pleasure is, that the remains be sold and employed to our most profit.

AND for the remittal of their arrearages that first by all the best means you can, which we think

think may be either by some trusty and special commanders to be by you with the advice of the council there chosen in every country and dwelling near the said lands in our said subjects occupation, or by any other way as by you and them shall be thought good, enquiry to be made, not only whether the suggestions of the said wastes be truly made or no, but also of the goodness of every of their farms, for it may be that in some the suggestion is either altogether or in part untrue; some part of the farms held of us lying in such places where the same hath not been touched in all the time of the rebellion, or that their farms be of such goodness and easy rents, notwithstanding some wastes by those troubles, yet the same are so beneficial to them otherwise, as there may be no great cause of such remittal of arrears as is desired; and by the said commissioners, you shall be certified not only of the truth of the suggestion of wastes, but also of the quantity, goodness and easy rents of the several lands held by our said tenants, so you and your council there, to deal with them accordingly by remittal of the whole part of the arrears, or else by such a toleration and instalment of the same as to your and our said councils in your discretions shall be thought good.

WHEREAS fundry parcels of our lands and other commodities which in former times were thought meet to be reserved for the better maintenance of the state of our government there, or that did belong in that respect to any of our
houses

houses or castles of Dublin, Kilmainham, Athlone, Catherlough, Laughlin, and Munster-even, or that do lie to be commodiously annexed to any of the said castles or houses, or any other our castles, forts, houses, or places, meet to establish a president or other kind of governor upon within that our realm, have been granted away in fee-tayle, fee-farm, or by lease for years, partly by warrant from us upon some surmise, and partly by affection and favour of our governors; forasmuch as it is very meet that the abuse in this behalf should be reformed, and that these things should return again and remain to the use for the which they were first ordained; for the better countenance of our governors and for the easing our good subjects of some part of the burthen that for the supply of these wants they are to bear by virtue of our prerogative, we have thought meet, and do authorize you by the advice of our council there, to enter into the consideration of the premises, and either by act of parliament, or by forfeiture, or otherwise as shall seem most convenient to you, to re-seize into our hands those lands and other commodities upon some reasonable composition to be made with the parties in whose tenures they are, in such sort as the said parties may have no just cause to find themselves aggrieved, and the same to resume, together with any other lands and commodities that shall be commodiously to be annexed as aforesaid; we, &c. authorize you to cause to be by act of parliament

ment for ever inseparably annexed and tied to our said castles, houses, forts, or other places meet for the establishing of a president or other like kind of governor, reserving to us our heirs and successors upon such lands as are already surveyed, such rent as the same shall be surveyed at.

AND further, if any part of the said attainted lands in Munster or Connaght shall upon the survey and distribution of the same be found to lie fit and commodious for this purpose, we will and authorize you in like sort to cause some convenient portion of the same to be taken into our hands as before, and so inseparably to be annexed to the said presidentship or other kind of government.

AND for all the timber woods that do grow upon the said attainted lands, or any other our lands commodiously near any river, having portable recourse to the seas, our will is, that the same be carefully reserved and preserved for the maintenance of our navy, and for our other buildings.

FOR such as have functions, charges and governments ecclesiastical or temporal within that our realm of Ireland be ordinarily, and for the most part commorant, and rescient, not allowing any man of that quality to remain in England or elsewhere from his function and charge, or government, above two months every year, unless it be that for or by occasion of our necessary service he be otherwise commanded by us, or our council, or sent, or appointed by you ;
and

and if any such be, that you proceed to the displacing of them or making stay of their livings both by due course of law and also by your discretion, where fundry different reports have been uncertainly made to us and our council of the late and present estate of that our realm, our expresse will and pleasure is, that shortly after you shall have entered into that charge, you do assemble our grand and particular council there as shall seem unto you most convenient, and by their advices and knowledges to enter into consideration what outrages have been committed since the 25th of March, 1583, and how the same have been addressed and corrected, who they be of the greater quality in every province of that realm that have and do remain assured and loyal to us, and who on the other side do stand apparently or doubtfully upon terms of disloyalty, with all other matters meet to be considered of, and the same under your and our councils hands to certify unto us, truly and singly, to the end that we may be well assured in that behalf of the state of our realm, and particularly of the several provinces, that we knowing in what part that our realm is either sick or sound, we may accordingly give order for the applying fit remedies.

WHERE besides the lands and revenues of the late traitorous Desmond and other his adherents, there be escheated to us divers other profits and commodities not to be neglected, as the spending of the country and such like that were wont
to

to be more beneficial unto them than the revenue of their lands, our will and pleasure is, that, together with the survey of the attainted lands, ye give orders to survey and make estimates, as well of the premisses as also of all other profits taken, to the end that we may know the same and the value thereof (if it may lawfully be converted in policy of good government) to our use, or else to take some reasonable rent or composition in lieu of the same, or if it shall be good to be utterly relinquished; that yet our good subjects may know the care we have of them, the happy condition of their estate under us, and the easiness of the yoke of our obedience.

MOREOVER, whereas we do well understand that there have been heretofore sundry persons employed in that our kingdom in commissions, sometimes in causes not greatly necessary, and yet with too great and large allowance as hath been burthenfome unto us, our pleasure therefore is, that you, our deputy, shall hereafter have special care that there be no such unnecessary employments of any persons, and when any necessary must be used, that such allowance be made to the persons employed as shall be thought convenient, wherein we would not have you follow precedents of former times, in the which there hath not been that regard to our profit as was requisite; also where we find the allowance for the government of Connaght set down in the former establishment sent over to Sir William Drury late justice of that our realm, to be over
large,

large, our pleasure is to have the same abated and reduced to a more convenient charge, according to a new establishment in this behalf to be now set down by our privy council here and delivered unto you; and in respect of the good opinion we have conceived of our servant Richard Bingham, our pleasure is, he shall supply the place of the chief commander of the said province of Conaught, and have such allowance for that place as shall be contained in the said new establishment.

AND for that we think it also very necessary to have a president in Munster, to have the supreme charge of that province under you, we have made choice of our servant John Norris, Esq; whom our just pleasure is in, the time of your being in the said province, that you place him in the said office of president for the excise thereof; we are content to yield him such entertainment and allowance as you yourself had at the time you held the place.

FURTHERMORE, divers of our council in that realm being of late years some dead, others growing through years and weakness of body not so apt to take pains as they have been, to supply their wants, and for the better assistance we have thought good to have called to be of our council in that realm, these persons following: Tho. Jones, bishop of Meath; John Norris, president of Munster; Richard Bingham, our chief commander of Conaught; and Thomas Lestrange, Esq; and therefore do will and command you to call
all

all these persons before you to be admitted of our said council, and to have the oath in that behalf used ministred to every of them.

AND whereas now the primacy of Armagh is void, that place being in title and dignity one of the chieftest among our clergy of that realm, we think it inconvenient that the same be over long vacant, and therefore to the end it may be filled with a person for learning and other good parts able to discharge those duties there required, we do not name any one particularly unto you, but reserve the choice of such a one to yourself, the bishop of Dublin and the rest of our council, not doubting but you will agree upon the fittest person in every respect, and whom you shall agree upon, you, our deputy, shall further give order for the delivery of all writings and other necessaries unto him for the instalment of him in that primacy, and in so doing, this article of our instructions shall be as well to you as to any other officer of that realm sufficient warrant.

LASTLY, for that the sums of treasure which are often sent over in that kingdom are great, and no perfect knowledge here of the employments of the same there, until some account be taken of our treasurer at wars.

OUR pleasure is that from henceforth after your arrival there and taking the general government of that realm upon you, you do take order that quarterly view be had as well of the sums of money that go from hence, as also of the ordinary

dinary revenue, and casualties of that realm; and how the same be there expended, either ordinarily or extraordinarily, and accordingly as you shall find quarterly, so certificate to be made to our council here.

Instructions, to be sent to the lord deputy, and council in Ireland, by GEOFFREY FENTON, esq; her majesty's secretary in that realm, Dec. 1585.

FIRST, forasmuch as her majesty, upon view of the state of our army in that realm, we find the same to consist of 1900 men, or more, besides the bands, found by composition in Ulster; and seeing all the other parts of the realm to stand in good terms, and no appearance, for the present, of any alteration likely to fall out there, whereby it shall be needful to continue so many numbers now in pay, as there we see no cause, but that some hundreds may be discharged.

WHEREAS, by reason of the general rebellion in that realm, the countries there being wasted, and therefore, our burthen increased, as well by augmenting the soldiers pay, as also to be at a further charge of victualling, made out of this realm, which had, and still hath, many casual discommodities that grow thereof, by providing and shipping victuals from hence, and the soldiers, notwithstanding thereby, not so well

satisfied, as appertaineth. Our pleasure is, that the lord deputy, with the council there, consider forthwith, how this our great charge may be holpen, whether it be less charges to us to be disburthened altogether of the victualling, yielding the soldiers sterling pay, to be paid them quarterly, and so to victual themselves, taking nothing of the country, but what they pay for ; or else to reduce them to the old Irish pay, and to continue the victualling of them still, as we do now ; for that we think it not reason to allow still the said increase of pay, lately granted, and to be charged likewise as we are now in their victualling : and with all convenient speed they certify either whether of these two ways they find best for us, before they conclude any thing with the soldier therein. This being an article given to the lord deputy, in his instructions, and our council, at his going over, we expected long ago, to have been satisfied therein. And in case the lord deputy, and council, find it better to be discharged wholly of their victualling, and to yield the sterling pay ; then, as the soldier is to take nothing of the country, but what he shall pay for, so it is necessary, that the lord deputy do cause reasonable rates to be set upon every kind of victuals and provisions, with charges, and all other things which the soldiers shall need, lest the country, being not restrained, should exact unmeasureably upon the soldier, for things he should take, and so make him not able to live
upon

upon his entertainment : and with these several rates of victuals and carriages, are meet to be, the lord deputy and council, shall do well, likewise, to certify.

WHEREAS, the composition of 2100 l. sterling, heretofore assented unto, hath been by the space of divers years omitted, and not levied ; we, understanding, by letters, from some of the lords of the pale, that it is a matter agreeable to the country, have heretofore thought meet the same should be revived and continued, till we shall give direction to the contrary : and therefore, our pleasure is, that the lord deputy cause to be assembled, the nobility and grand council, according to the former usage, in like cases ; and to move them to renew and accept the said composition, upon condition, that they assenting thereunto, the same shall stand in lieu of cesse, in such countries as shall stand and yield to the contribution, and as well of the army, as for all other duties heretofore imposed for the lord deputy's house ; and the same to continue during our pleasure. And whereas, heretofore, the countries of Leix and Offally, were contributors to this composition, according to such rate and proportion, as was set down in the council book, there we see no cause that they should be dispensed withal, but every one to bear a part as it is allotted upon them, which, if they shall refuse to do, then may the lord deputy lay soldiers upon them, according to their measure and rate of their part of bearing ;

wherein nevertheless, regard is to be had to favour and ease, as much as may be such of the said countries, and such parts thereof as lie waste, and are impoverished most, as it is informed that some part of Catherlough is.

WHEREAS, we have employed our servant John Norris, esq; our president in Munster, in the service of the low countries; and conceiving a very good opinion of captain Thomas Norris, his brother, to supply that place, as vice-president, until we shall determine otherwise: our pleasure is, that the said captain Thomas Norris shall remain there, as vice-president, during our pleasure, receiving all his said brother's allowance, except his fee of 110 marks sterling *per annum*, which is to be answered to the said lord president. And whereas the said vice-president, hath now a fee of 20s. sterling *per diem*, agreed upon by concordatum, over and above the several allowances of the said lord president; our pleasure is, that the said fee of 20s. *per diem*, shall cease immediately after these instructions and signification made to him thereof; forasmuch, as we think it convenient, that all such directions, instructions, establishments, and warrants, as are commonly sent from hence concerning our service, should be often and orderly communicated to the council as matters meet for them to be acquainted withal, for their better knowledge and information; our pleasure is, that whatsoever directions, instructions, establishments, &c. shall be sent from
hence,

hence, appertaining to our service, shall be publicly read at the council table, by our secretary there, once in every quarter at the least; and that our secretary, shall be charged by his office, to move and solicit the same, according to the times limited in this article: provided always, that in especial matters, which for secrecy sake, are not to be openly read at all, to the council at large, the lord deputy, may in discretion direct the secretary to refer them to be communicated only to such of the English council, as for the most part are ordinarily attendant upon the state.

WE think it meet, and our pleasure is, that officers and charges falling within the gift of the lord deputy, should be bestowed upon men fit for them, and that such as be of known skill and honesty may be preferred before others.

AND whereas, hitherto, the liberty to have deputies and substitutes in offices, hath, and doth breed great corruption, and extraordinary taking of fees, whereupon ensueth the grudge and clamour of the people; our pleasure is, for the remedy thereof, that from henceforth, all officers shall be bound to reside upon their places, without favour or dispensation, other than in case of sickness, impotency, and old age.

AND whereas, among other things, meet to be redressed, the houses of justices, and judicial courts, being now kept within our castle of Dublin, are subject to many inconveniencies and

dangers, by reason the store-house of powder and ammunition is underneath them ; and also, the prison called the Grate, where malefactors lie, is very near adjoining thereunto ; and hereby the resort into the castle is more common than is meet : we think it very convenient, that the said courts and houses of law be removed out of our said castle, unto some meet place in the city, such as the lord deputy and council may compound for, and advertise their opinions thereof.

WHEREAS, our privy signet of that realm, ought of right, to remain in the custody of our secretary of state there, as a thing appertaining to his office, like as our privy signet here in England, remaineth always in the charge of our principal secretary ; our express pleasure is, that our said signet of that realm shall still continue in the custody and charge of our said secretary of state there, that now is, and that hereafter shall be, without challenge or interruption of any other ; and he to enjoy all fees and profits thereto belonging. Likewise, our express pleasure is, that our said secretary of state there, for the time being, or any other by him appointed, shall have the making of all the bills, warrants, and other writings, that are to pass the signature of our deputy, or other head governor there for our service, and by our authority, and so to pass to the great seal with all fees and duties appertaining ; and he to keep a register book of the same, to remain of
record,

record, as our principal secretary of England doth in like cases, to be from time to time shewed to our deputy, or other principal governors, for the time being. We think it very convenient, that as soon as you can finish the parliament, which we wish to be done with convenient expedition, you should by good deliberation of council procure, that the North parts of that realm might be settled in some quietness, for which wholesome purpose yourself might repair into Munster, and there with such of our council, as may be spared from Dublin, and from the English pale, to continue your residence for the better strengthening of that whole province, and especially of the maritime towns and ports, considering the doubtfulness, how the forces that be put in readiness in Spain and Portugal are looked for, to come to the seas more timely this year, than commonly hath been used; and for that there be many particular things requisite for this purpose, whereof we doubt not but you with your council there, will have regard; yet, of some few things we think convenient to admonish you first that such persons either in Munster, or elsewhere, as you shall think to be doubtful, in respect of their former offences, and of their inclination to have new troubles in that realm, by access of foreign forces, may be so looked into, or guarded, or otherwise restrained of their liberty, as they may not become parties, either to nourish sedition among the multitude of our people, or

comforts to such foreign traitors, as being out of the country, are likely, upon comfort of their friends within the land, to entice the enemies to enter into some places there.

Secondly, the port towns would be seen unto, that none of the inhabitants be suffered to have armour and weapons, but such as shall be thought to be faithful and loyal; and that such as you shall think to be faithful, may be provided of armour and weapon, and they to be put in order and regiment, to keep the same towns from all mutiny and sedition; and as far forth as their powers shall be with the help of such succours, as you may send them to withstand the enemies landing.

Thirdly, you shall do well to suffer none of the common people that did rebel, to have any weapon of offence, but to be charged straightly, upon pain of death, or otherwise by putting in good sureties, to continue at their dwelling places quietly, except you shall have cause to send for any of them, for any kind of service requisite.

Lastly, you may do well about the time of the year that you shall understand any certainty of the coming of the Spaniards, or Spanish army, into the seas, to cause the bestials of the country, and other victuals, to be removed from the maritime ports where you shall suspect likelihood of landing; and so in all other things requisite to do your best to preserve that country this summer in quietness, and for better comfort, you shall understand, that we have re-

solved

solved to keep upon the seas a strong navy, that shall attend to impeach the navy of Spain from landing, either in England, or that realm, hoping with God's favours, in our just defence, to withstand the violent attempts of our enemies, how many and malicious soever they be: and for the better intention that we have to people that country of Munster, our secretary, now coming thither, shall particularly declare unto you.

A note of the benefit that may grow in short time, to the younger houses of gentlemen, by this course, in perpetuity, taking the greatest portion in the plot, &c. Dec. 1585.

THAT it may appear what profit, commodity, and advancement, may in short time grow, to the young houses of the gentlemen; by that course, in perpetuity, some reasons are here set down, whereunto more may be added, as occasion shall require.

Imprimis. The gentleman undertaker to be the chief lord of so great a seignory or parish, and to have the manrode of so many families, and the disposing of so many good holdings, as the greatest portion set down in her majesty's plot doth offer, as a thing fit for gentlemen of good behaviour and credit, and not for any man of inferior calling.

To

To have the royalties and perquisites of courts within the whole, will be, no doubt, a matter of good benefit to him in time to come, then to have 100*l. per annum* declare of revenue, to be paid yearly, as the queen's majesty's rent is paid; and yet with good content to the taker, is a thing very easy to be performed: besides, the profit that he may make of his own demesne with the first year, with a reasonable stock, as is set down, may prove to be worth the second year more; and after the same shall come to full manurance, is very likely to prove worth *per annum*, at the least; and surely considering the smallness of the charge which groweth, even in the first year, which is the greatest year of burthen; and withal that, a great part of the money required in the same, doth still remain to himself in stock, besides many other commodities, which the nature and fertility of that soil may bear, must needs prove this course very beneficial to the undertaker, if the same shall be well pursued, and effectually dealt in, and that he doth enter into the same with due consideration, as is meet. Furthermore he is to make it known, what profit and living may grow to them that shall be his followers, in short time, every one in their proportion; for example, the freeholders, who is to have allotted unto him 300 acres for his holding, which being esteemed at the goodness of ordinary ground in England, may well bear, as followeth, *viz.* 20 kine, and 6 oxen, 2 mares, 10 head

head of young cattle, to breed yearly 4 geldings or 2 colts, and 200 sheep; and the tillage of 10*l.* or acres yearly, after it grow to full manurance, out of which, in ordinary years, he may then sell yearly 30 or 40 quarters of wheat or rice, and more of the other kind of grain; besides, provisions of corn for a dozen or fifteen persons at the least: then what will grow of his kine, the breed of his cattle, the fleece of his sheep, the keeping of swine, and such like, which are no valuable commodities, each man that hath skill, may discern, besides other commodities of provisions, which the nature of the soil, and the benefit of the reverse there will afford; and it is to be considered, the first year's charge overpassed, he may have the second year, corn and cattle sufficient for him and his family to spend, whereby he may be at no charge, by reason of necessary expences in his household, that second year; and the third year he will have to spare both corn, cattle, work, &c. which he may event for at all times, either into England, or other countries, to his great benefit. And here it may be remembered, that provision is to be made in England for men and maid servants, and for bread and drink, corn for the first year; and as for cattle of all sorts, there are sufficient to be had and provided in Ireland, at very small prices, viz. for the county of Kerry out of Desmond and Thomond, for Limerick out of Carbry and Thomond; and as for the counties of Cork and Waterford,

Waterford, much cattle is to be had there, and may be provided out of the north parts of Ireland : for all which provisions, there is a particular estimate set down, whereby each man may see his present charge. To conclude, it may seem requisite, that these persons following be speedily cared for, and provided at the first going over, by every gentleman that purposeth to enter, and meaneth to go through with this action ; viz. All his farmers, freeholders, and some of his copy-holders, besides a gardener for planting of hop-yards, griffing, gardening, &c. a wheel-wright and smith, for plough stuff, and shoeing of horses ; a mason, carpenter, and thatcher or tyler, for building ; a taylor and shoemaker ; a butcher and miller ; and a victualler, that may provide victuals for themselves and passengers. And further, it may seem convenient, that every undertaker do set down how many of his own tenants, neighbours, and friends, he hath drawn to accompany him in the action, and who they be that shall be his farmers, freeholders, &c. and how ready and able each man may be to perform his portion, according to the plot set down, for that otherwise, for want of ability, they themselves are like to take no profit thereby, and her majesty's expectation greatly frustrated, touching the peopling of that country, and manurance of the same, which are the things chiefly desired by this whole course set down.

The

The plot of her majesty's offer touching
the peopling of Munster in Ireland,
December 1585.

	Acr.	Fam.
The gentleman to have for his de- mean —————	1600	1
One chief farmer to have	400	1
Two good farmers, each 300 acres	600	2
Two other farmers, each 200 acres	400	2
Fourteen freeholders, each 300 acres	4200	14
Forty copyholders, each 100 acres	4000	40
Land to be apportioned for mesne terms and cottages, and of which there must be erected 26 families at the least, at the dis- cretion of the undertakers —	800	86
Sum	12000	86

The gent. to have in demesne	1400	1
A chief farmer to have	400	1
Three other farmers, each 300 acres	900	3
Twelve freeholders, each 300 acres	3600	12
Thirty copyholders, each 100 acres	3000	30
Land to be apportioned as before, to 25 families at the least —	700	25
Sum	10000	72

The

	Acr.	Fam.
The gent. for his demesne	1200	1
A chief farmer to have	400	1
Two other farmers, each 300 acres	600	2
Eight freeholders, each 300 acres	2400	8
Twenty-eight copyholders, each 100 acres — — —	2800	28
Land to be apportioned as afore- said, to 24 families at least — —	600	24
Sum	8000	64

The gent. to have in demesne	2000	1
Two good farmers, each 300 acres	600	2
Six freeholders, each 300 acres	1800	6
Twenty-one copyholders, each 100 acres — — —	2100	21
Land to be apportioned as afore- said, to 24 families at the least	500	24
Sum	6000	54

The gent. to have in demesne	800	1
Two good farmers, each 300 acres	600	2
Four freeholders, each 300 acres	1200	4
Ten householders, each 100 acres	1000	10
Land to be apportioned as afore- said, to 22 families at the least -	400	22
Sum	4000	39

☞ The gentlemen that will undertake the having of so much ground in Ireland, as is contained in any of these divisions, must undertake therewith the peopling of the same with families convenient, according to this proportion, to be performed in four years, *viz.* to a seignorie that doth contain in grounds

Articles

Articles to be by secretary Fenton delivered in her majesty's name to the lord deputy of Ireland, to consider the contents of them and their, &c.

FIRST, her majesty calling to her remembrance how oftentimes orders have been devised and sent unto that realm, to divers her justices and deputies there, wherein, and in sundry other instructions delivered unto the deputies at their going into that realm, in any commandments, rules, and directions were contained, tending to the reformation of sundry abuses and enormities committed in the ordering of taxes and revenues, and other profits arising of her regalities and casualties, and now perceiving by the continuance of the more part of those former disorders, and in some part, as it seemeth, of more deceits and corruptions in some ministers, that her majesty's possessions and revenues, and the yearly profits that ought to rise of them, with the regal casualties, are greatly diminished, for lack of execution of some former orders as have been at sundry times directed thither, and namely of such as were sent thither in the year of our Lord God 1579, in the time that Sir William Drury was justice : her majesty, minding to be more faithfully and diligently served, and better satisfied on this behalf, and the disorders and abuses reformed, hath thought it

it convenient, straightly to charge and command, and so she doth by these presents, upon pain of her high displeasure; the lord deputy being now first to prove deliberately these articles following, and to be further informed by her secretary there, of her majesty's mind therein; and then, without delay, to call for such of her council, and other officers to whom the contents thereof may any ways belong, and to impart the same unto them, and to charge them all well to consider of the contents hereof; and after due consideration and examination of every part thereof, by writing under their hands to make answers to every article hereafter following, in whose default the abuses, disorders, or deceits hath grown, and in what manner they shall determine to reform the same; and if any of the same abuses have been reformed, to certify her majesty of the particular causes so reformed, and the time of the said reformation: and her majesty's meaning is, that as well the lord deputy now being, as the chancellors, treasurers there that late were, justices there, shall join in answer to be sent to her majesty, in all matters that in any wise may concern themselves, or any of them.

The articles ensuing, that are to be answered.

FIRST, whether the profits of fines, amerciaments, recognizances, forfeitures, wards, marriages, and reliefs, have not been given away
freely

freely, or pardoned, without answer and payment made unto her majesty's exchequer, and to what value the same doth amount unto, that hath been so yearly given away, or pardoned, from Michaelmas in the year of our Lord 1579, and by what warrants and authorities the same hath been so done, and to whom those gifts have been made; and likewise to certify what hath been yearly answered for the premisses during the same time, into her majesty's exchequer, and how and by what warrant the same hath been issued and expended.

Item. What leases have been made during the same time, of her majesty's lands or possessions, under the yearly value contained in the former surveys, or in any other record; and how much yearly rent hath been diminished by such grants and leases, and by whom, and by what warrant the same have been granted; and to consider why the deceit therein used to her majesty's dis-sention should not be reformed, and their values reduced to their former rate, according to the records.

Item. What leases have been made, with the same time, of any lands or other profits belonging to her majesty's revenue, to any person, without any fines answered to her majesty; and what hath been the particular yearly rent of the lands or profits so granted, without fine, and to certify also what fines for leases have yearly within that time above mentioned been answered to her majesty, and how the same have been expended.

Item. What debts were in a total sum due to her majesty at the said feast of Michaelmas, 1579, and what debts have grown yearly to her majesty since the said Michaelmas, and in whose default the same hath remained in arrearage, and not levied according to the course of the law provided for the levying of her majesty's revenue, debts, and arrearages, and to certify how much of the former debt before the said feast of Michaelmas is sperable, and how much desperate; and likewise how the late debts, grown since the said feast of St. Michael, are to be levied and answered; and that all speedy means be used for the levying and answering thereof. And to the intent the same may be accomplished with better effect, it is reason that the fees of such offices, as by whose default the same debts and arrearages have grown, may be restrained of their fees and commodities, or rather to be sequestered from the exercise of their offices, until the said arrearages be duly paid.

Item. Where divers persons have made surmises, that the lands which they held by leases, were wasted, and thereby have required to have remission of their debts, in part, or in the whole, and that their requests have been remitted hither to be tried, it is to be now certified, what persons have had any allowance of their rents or arrearages, in respect of the said waste so surmised, and how much rent or arrearage hath been so remitted, and what good proof hath been

been made of the said surmises, whether that the wastes have been so great as have been pretended, or have been but in some part of the said lands, so as there was no reason for the remissions to be so large.

Item. To certify what yearly profits and casualties since the aforesaid feast of Michaelmas, have been answered to her majesty upon the sheriffs accounts, and such other ministers accountable in the exchequer, and particularly to certify what sums have been by warrants, called *mandamus*, allowed to be divided among the barons of the exchequer, and other clerks and ministers there, and what have been the yearly sums so defalked in any accounts, by virtue of the said *mandamus*.

Item. Where divers corporate towns have return of writs, and do challenge the profits of amerciaments, fines, issues, bonds, and recognizances, and such like, assessed in any of her majesty's courts of her pleas or exchequer, or before any other judges or commissioners that is to be certified, how much yearly within the time aforesaid, hath been withdrawn and detained from her majesty by the pretences of any such claims; and it is to be better considered, of what force any charters be, to carry away so great sums, and especially the royal fines and amerciaments due to the crown, which cannot pass away without express words in the grants, neither can any fine be demanded by force of such charters, for any offence, that hath been

made an offence by any later laws, since the grant of such, or those charters ; a matter negligently looked into, or rather corruptly suffered, by the officers of the exchequer.

Item. Where her majesty's revenue is apparently diminished, divers ways, and yet the same charged many ways, with increase of many new officers, fees, and allowances, it is to be certified what new offices, or fees, or increase of fees, have been within the time aforesaid allowed, and by whom, and whose warrant, and the same from henceforth to cease until her majesty's pleasure, upon better information, be signified by her own warrant.

Item. To certify what yearly allowances have been made to any commissioners, being directed to any accounts, and what the sums have been of such allowance, either by the name of diets, or for attendance, in the tye of the declaration of such accounts ; for that her majesty is informed, that divers persons, some being of her own council there, and appointed as commissioners to attend the declaration of accompts, have been allowed large diets by the day, either by their own authority, or by their procurement, whereof her majesty requireth to be particularly certified.

Item. Where, of late years, certain Irishmen have made surrenders by pretence, of their own lands, and obtained grants of the same, where many times her majesty's own possessions having been usurped and detained by them, have been
contained

contained within the said surrenders; it is to be certified, whether in the new grants made to the said Irishmen, upon their said surrenders, there have not been special reservations, as well to her majesty, for her rights, as to other men's lands comprized within the said surrenders and grants; and also to be certified how many of such grants made to the Irish, have not been certified into the exchequer, where any rent or duties, reserved upon the said new grants, might be put in charge, and answered, and what rents are due upon such new grants, and how much thereof is answered yearly.

Item. Where there was of late time a certain number of footmen called galloglas, who had for their stipend certain bonnaughts, answered out of Irish counties, without charge to her majesty, and that the same galloglas have been discharged, by way of composition, as well with the said galloglas, as with the Irish counties that bare them, whereby it was pretended, that a yearly revenue of 1000*l.* or more, should be answered to her majesty; it is to be certified, whether, and how much of the same hath been answered to her majesty yearly since the composition; and whether there hath not been a new charge of two or three hundred pounds, that hath been yearly paid to the captains of those galloglas, and yet no service by them done for the same.

Item. To certify what seneschalships and governors of counties, lordships, and territories,

have been within the time aforesaid granted to any persons without reservation of such services and duties, as heretofore were answered out of the same; and what have been the ancient services and duties heretofore answered out of the said offices, and to stay the grant of any such offices, but at the will of her majesty.

Item. Where, during the time of the last rebellion, certain extraordinary numbers of soldiers were put into fortresses and castles for their better security during the troubles, without intention to continue the same, to the increase of her majesty's charge, it is to be certified, what numbers were so, by way of increase, since the beginning of the last rebellion of Desmond, allowed to any of the said forts or castles, and by what warrant the same are continued; and how many of the same may reasonably be discharged, and to discharge the same.

Item. Where her majesty's revenues are paid to her coffers, after the rate of Irish money, which is a fourth part less than if they were paid in sterling: and yet divers persons within that realm, who of ancient time were paid their fees and allowances according to the same rate of Irish, and not of sterling, are now paid, as her majesty understandeth, according to the rate of sterling monies of England, whereby they have gained a fourth part above their accustomed fees; it is to be certified, how many of such persons are at this day paid their fees and allowances, after the rate of English money, whose offices

offices were heretofore, at the beginning of her majesty's reign, answered but with the rate of Irish money, and how much loss thereby her majesty doth yearly sustain, and by what warrant the same increase hath been allowed and paid.

Item. It is not meant that the possessions of the lands or chattles, lately escheated by the rebellions in Munster, or elsewhere in that realm, should be in the power and authority of the lord deputy, or other the commanders, to be set, demised, or granted, but the same to be stayed at her majesty's will and pleasure, until further order be taken; and for this purpose it is to be certified, whether any part of the said escheated lands or chattles have been demised, or any custodies granted, and what rents and profits have been answered for the same, or be answerable, and by whom, and by what authority and warrant the same have been so granted.

Item. Her majesty will be certified how much money hath been paid upon grant, made for keeping of certain boats upon the Shannon, and to whom the same hath been paid, and when the same did cease, according as her majesty did give express order for the same. Finally, her majesty willeth and chargeth the lord deputy, and all other of her council, whom these articles shall concern, and also all other officers of her revenue, and namely, the auditor there, who ought, by virtue of his office, to be the most understanding of these abuses, particularly to

deliver their answers to every part that shall concern them, as they will afterwards answer to her majesty at their peril, upon further trial as her majesty shall have cause to make, of the truth of their certificates. And though the particular answers of all the articles, and of the several parts thereof, may seem to require some longer time than her majesty expecteth, yet her pleasure is, that without delay of time, and from time to time, so much of the same may be certified thereof, that her majesty may well perceive that there is no delay used; and her express commandment is, that the secretary, the bearer hereof, shall, from time to time, in her majesty's name, charge the lord deputy and the council to be careful hereof, for satisfaction of her majesty, as they tender her favour, and not to send them apart, as her majesty hath cause to think that many former instructions have been.

The heads of an Instruction for secretary Fenton, Esq; to be communicated to the lord deputy, for peopling of Munster, November, 1585.

IMMEDIATELY after your return into Ireland, you shall acquaint the lord deputy with the plot set down, and delivered you here, for the peopling of Munster; and further, you shall signify to him, that it is her majesty's pleasure, he presently confer with such of the council there

as he shall think fit, upon the same plot, and certify, either with all possible speed, his own and their opinion thereof, and what they think meet to be either added or reformed in the same; whereupon, he and the council there, shall forthwith receive answer and further direction from hence, as the cause shall require. And because there is no one thing like to breed so great a difficulty in the execution of this plot, as the lands of the freeholders, such as, either fully pardoned of life and land, or otherwise, not to be touched with any disloyalty, which lie intermixed with the lands escheated to her majesty; we think it meet that certain commissioners, whereof some to be learned in the laws, by the lord deputy and council there, appointed to repair into Munster, and authorized to call before them all the aforesaid freeholders and copyholders, having lands so intermixed with the escheated lands, and to appoint them, at some time prefixed, to shew their evidences for such lands as they pretend title unto; for which purpose we think Mr. Smiths, now justice in Munster, and Mr. Meagle, second justice there, meet men to be employed in that service, unless the lord deputy and council there shall know any others of the profession of the law more apt, either in Munster, or to be sent from Dublin for that purpose. Those commanders chief travail must be, by viewing the evidences of the said freeholders and copyholders, to discern and judge of the validity of their titles, whereby such

such freeholders as shall be found to have good titles, and their lands so intermixed with the attainted lands, as may breed some quarrel between the said freeholders and copy-holders; and such as shall come over to inhabit there, may be reasonably compounded withal, so as it may be without offence, and with their good liking. It is also thought meet, that a survey be taken of the freeholds and copyholds escheated unto her majesty for default of heirs, whereof there hath as yet been no survey taken by Sir Valentine Brown. And for the better performance of this service, it is thought meet, that the lord deputy and council shall give these commissioners such further and secret instructions, as they shall think convenient. And whereas we are informed also, that the lands of her majesty, which be now leased and intermixed with the said escheated lands, may be likewise some impediment for the said plot, the aforesaid commissioners shall have like power given them by the lord deputy and council there, to call all such her majesty's lessees before them, and view their leases, and the same not justly to be avoided, to treat with them for some reasonable composition.

SPECIAL charge is to be given by the lord deputy to the said commissioners, that in dealing with these freeholders and lessees, no offence be given to them, as though there were any intent or meaning to deprive them without recompence to their contentment, of their right in such lands, as they do pretend to appertain to them.

AND

AND touching the escheated lands, already granted by *custodiams*, you shall let the said lord deputy understand, that her majesty's pleasure is, that no person having *custodiams* shall enjoy the same, unless he be contented to accept of the same with the conditions that are here accorded on in England in the aforesaid plot, as shall otherwise be altered here, after return of your opinion ; and that you shall make it probable unto the lord deputy and council, that he shall be able to perform the said conditions.

AND moreover, because these escheated lands in Munster be not so thoroughly surveyed as is requisite, we think good, that the lord deputy and council there appoint meet persons to survey the same as near as may be, according to the plot aforesaid, with respect as well of the goodness as of the quantity of the ground ; and for this perfecter survey to be taken in this sort, we think, besides her majesty's surveyor there, if his health will permit, Mr. Payton Manwaring, Thomas Wiseman, and Robbins, fit men, or some of them, to be employed in that service to the said commissioners and persons, as well for the calling of the freeholders aforesaid before them, and viewing their evidences, as for the surveying of the lands escheated, and other intermixed, we think that very necessary, the lord deputy and council there, give order to the vice president of Munster, to appoint certain of the garrison there to attend on the said commissioners for their better safety, and to appoint

point them for their diets and other necessary charges, such allowance during the service, as by them shall be thought meet, to the end, that before the end of this next summer, the places may be appointed for the planting of the parishes, according to the aforesaid plot set down for the purpose. And whereas it is thought convenient, that some portion of land should be appointed for the president of Munster, in such places of that province, as that it shall be thought meet for him to reside in, that the portion exceed not, in any one place, the quantity of 500 acres for a demesne for his house, and the finding of his horses, whereby the country may not be oppressed with cess.

AND whereas the seneschal Patrick Condon, and certain other principal persons of that province, that are pardoned of their lives; it is thought meet, that the lord deputy and council take into their consideration where, and what reasonable portion of land, in some convenient place with least annoyance, of such as shall come in and inhabit there, may be allotted to every of them, lest otherwise, no respect being had of them, they, through desperation, may be driven to attempt somewhat to the disquieting of the said parties that shall repair into that realm to inhabit there.

A copy

A copy of the Composition of 2100*l.*
per annum, to be answered to her ma-
jesty. Entered in the council-book
May 1586.

WHEREAS the queen's most excellent ma-
jesty, having a princely care for to ease
her subjects in that realm of the burthen of cesse,
and other charge of soldiers, which from time
to time hath been laid upon them, hath entered
into consideration of the composition formerly
taken of 2100*l.* sterling, heretofore assented
unto, and for that end hath signified her plea-
sure, either by a special instruction, contained
in a book among other things, and intituled,
“Instructions by the queen's majesty, to be
“communicated and imparted by Jeffery Fen-
“ton, her high secretary in Ireland, to the lord
“deputy and council there. At Greenwich,
“the 26th of February, 1585.” Which in-
struction is recited in these words: Whereas the
composition of 2100*l.* sterling, heretofore as-
sented unto, hath been of the space of divers
years omitted, and not levied; we, understand-
ing by letters from some of the L. L. of the
pale, that it is a matter agreeable to the coun-
try, have therefore thought meet the same should
be continued and revived, until we shall give
direction to the contrary; and therefore, our
pleasure is, that the same lord deputy cause to be

be assembled the nobility and grand council, according to the former usage in like cases, and to move them to renew and accept the said composition, upon condition, that they assenting thereunto, the same shall stand in lieu of cesse in such countries as shall stand and yield to the contribution, as well for the army, as for all other duties heretofore imposed for the lord deputy's house, and the same to continue during our pleasure. And whereas heretofore the countries of Kilkenny, Tipperary, Wexford, Carlow, and the counties of Leix and Offally, were contributors to this composition, according to such rate and portion as was set down in the council-book there; we see no cause that they should be dispensed withal, but every one to bear their several shares and part as is allotted upon them; which if they shall refuse to do, then may the lord deputy lay soldiers upon them, according to the measure and rates of their parts of their bearing, wherein, nevertheless, regard is to be had to favour, and ease as much as may be, such of the said countries and such part thereof as lye waste, and are impoverished most, (as it is informed that some part of Carlough is) upon which instruction the nobility and grand council this day were assembled, the said article read, and her majesty's bounty and grace offered, and exclaimed by the lord deputy, demanding of them, whether they would accept of the same composition, and consent to the yielding thereunto; who not only
freely

freely assented with one voice, but also did acknowledge themselves much bound to her majesty, in that her highness had this princely care over them, to receive this composition of 2100*l*. sterling in lieu of cesse, as well for the army, as for all other duties imposed for the lord deputies, to be levied in such shires and countries, as in her majesty's article and instruction above recited is contained. And further, whereas the said lord deputy, in the behalf of her majesty, hath signified unto us the L. L. and others of her majesty's nobility and council, that her highness's pleasure was, that we of the parle, and others who have heretofore yielded to the answering of the said composition, should make payment, as well of that which hath not been levied since the time that the soldiers have not been upon the country, as also of that which should upon treaty with us the L. L. and others of the parle, to be by them assented unto, to be yielded by way of composition in time to come; and to that effect did shew unto us a part of a letter directed to his L. signed by her majesty, the tenor of which article ensueth. And because we have by special instructions, delivered unto secretary Fenton, giving order for the reviving of the composition of 2100*l*. in lieu of cesse which hath been omitted well near the space of seven years, in respect of the soldiers, were sometimes cessed upon the country; by which said instructions, forasmuch as it is not ordered that the country should be dealt withal,

withal, for the answering of so much of the composition as is due since the time that the soldiers have not been laid upon them, which is now well near by the space of three years: our pleasure therefore is, that you shall deal with those of the pale, and others who have heretofore yielded to the answering of the said composition, to make payment as well of that which hath not been levied since the time that soldiers have not been cessed upon the country, as also of that which shall upon treaty with the L. L. and others of the pale, to be by them assented and yielded unto, by way of composition, in time to come. Given under our signet, at our manor of Greenwich, the 26th of February, 1585, in the 28th year of our reign.

FORASMUCH as her majesty, in her former Instructions, hath most graciously and bountifully dealt with us, and the rest of her majesty's subjects here, which hath been as acceptably taken and received, and most willingly yielded unto; so, in like sort, to the end we may make manifest to her majesty, our willingness to yield to her direction, and acknowledge our bounden duties to her majesty for so gracious a benefit, we are well contented, and do all hereby consent and agree, that the said composition of 2100l. sterling, shall be levied and taken to her majesty's use, as well for the time past, according to her majesty's letter, as also for the time to come, during her majesty's pleasure; and therefore
we,

we, the lord deputy, nobility, and council, and grand council, whose names are hereunto subscribed, with the assent whole voice of the chieftest and most part of the gentlemen of the pale, do hereby promise to stand to the said composition of 2100*l.* sterling, in manner as before is recited, to be levied, taken, and reared to her majesty's use yearly, as also from year to year after, to continue for so long time as it shall please her majesty, according to the said Instruction. And it is further agreed, that the two former acts of grand council, entered in this book, folio 288. and folio 290. the one bearing date the 29th of January 1585, the other the 28th of September 1585, provided by the lord deputy and grand council for a composition in lieu and satisfaction of the cesse and victualling of the garrison, from Michaelmas 1584, hitherto, shall be utterly void, and held as concluded within this article of agreement, and the said shires and countries henceforth not otherwise to be charged, than is contained in this act. Given at her majesty's castle of Dublin, the 15th of May 1586.

John Perrott.

Jo. Armalham.

Ad. Dublin, can.

Tho. Miden.

O Gormanston.

Tho. Slane.

Jo. Killmoren.

O Delum.

Hen. Walloppe.

A copy of Sorlie M'Donnell's submission.

MOST honourable governor, it is and may be truly said, there is no unhappiness comparable to his, that may say he hath been once in good estate, and is fallen from it through his own folly. Amongst many others, in that case, I may, and do reckon myself for none of the least ; for being a man born out of this realm, and gotten large possessions in the same, whereupon I lived, though I might claim none by inheritance, I have very inconsiderately presumed to think I might as well hold it, as I got it by strong hand, carried on with this imagination, as one ignorant of her majesty's might and force ; and withal, ill-persuaded by others, I unhappily refused to come in to your lordship, as the rest of Ulster did, almost now two years past, thinking it might suffice for me, upon your lordship's repair into those parts, to write a letter of some kind observance unto you, with an offer, after a sort, to come myself also, upon such capitulations, as now to my smart I find were unmeet for me to make. But your lordship having no mind, as it hath well appeared, to make advantage of my rash oversight, vouchsafed to licence the earl of Tyrone, and Sir Edward More, to send unto me such gracious conditions, as I grieve to think that I refused them. And with the unadvised letters I writ to your lordship, the haughty words I uttered, and the
undiscreet

undiscreet demands I then made (to have men of far better sort than myself to lie in pledge for me) were buried up in forgetfulness. I condemn my folly in leaving such men in the castle of Dunluce, within this her highness's land (as should say) they kept it in the name, and to the use of the king of Scots, a prince that honour-eth her majesty, and embraceth her favour. I sorrow for my perseverance in that purpose, whereby I have unjustly drawn her majesty's force, and whet her highness's sword against me, which hath slain my son, and most of my people, spoiled me of my goods, and left me with a few distressed, being no way able to stand against her majesty's force; wherefore, I do prostrate myself at the feet of her majesty's clemency, submitting myself wholly thereunto, and most humbly praying to be restored only thereby, through her noble favour, that is accustomed as well to pity the humble, as to suppress the proud and obstinate. And I do most faithfully promise, to depend for ever, upon her majesty's gracious goodness, according to such conditions, as it shall please your most honourable lordship to afford me, on the behalf of her highness, whom I pray God long to preserve. Amen.

Your most humble suppliant,

Fra. Strafford.

SORLIE M'DONNEL.

Will. Warren.

Copy of Neile Oge's submission.

I WISH (most worthy lord deputy) I might produce my late father's good deserts, sealed with his blood, in her majesty's service, as an ornament to my name, and a means to further my well-doing ; but alas ! I grieve to think that I have with my undutifulness blemished the same, as I dare not hope that the memory thereof may any thing mitigate the displeasure that I have deserved, where, if my late brother and I had grace, either to follow his steps, or to have shewed ourselves worthy that favour your lordship most honourably and freely vouchsafed to us both, at our last being at Clandhuboy, I might have stood up with comfort before your lordship, expecting your good word, and good deed, where now I lie with sorrow, prostrate at your feet, attending for her majesty's mercy. I silly worm, do, with many more such, feel to our smart, what it is to stand against her majesty's force ; by it I acknowledge myself thus humbled, reposing now comfort in nothing else, but in her majesty's clemency, which I will, during my life, endeavour myself no less to deserve, than I hope Mr. Strafford, governor of the force in Clandhuboy, will witness I have done since I forsook the Scots, and my ways : and so with God's favour I mean and may put out the stain I have made in my
loyalty

loyalty to her most excellent majesty, whom I pray God to bless and prosper. Amen.

Your honour's suppliant,

Fra. Strafford.

Will. Warren.

NEILE OGE.

A copy of Shane M'Bryan O'Neile's submission, June 1586.

MY singular good lord, I may and humbly do refer my duty and readiness at all times to serve her most excellent majesty, to your lordship's honourable consideration ; it hath been heretofore most graciously accepted and recompenced ; your lordship hath by your words and writing, vouchsafed to testify it to my comfort, and Mr. Strafford here present, that hath worthly governed her majesty's forces in Clandhuboy, by your lordship's noble directions, I doubt not will report it. But my gracious good lord, I am not now to plead it, sith the late unfortunate fact committed by my men, in killing of Hugh Oge, hath defaced the reputation of it. I am heartily sorry for that ill fact so by them committed, he being, upon the governor's direction, to come unto your honour ; yet, sith he was so casually met with, and killed by my followers, whose men and kinsmen he had killed before, and also my brother who was fostered by the chief nation under me, and the memory of my brother's blood their fosterer, and their

own kinsmens death, did revive and stir in them such a natural passion on the sudden, as did overcome the fear of God, her majesty's laws, and their reason; I humbly pray, that my sorrowful repentance may be some satisfaction for that rash, unadvised fact, happening through natural frailty, committed by my men, and not done of malicious purpose, I coming with as much speed as might be, to appease the matter, but could not prevail, they being so maliciously bent for revenge. And that therefore your lordship of your own accustomed goodness, mitigating the rigour of law, will vouchsafe to extend her majesty's mercy upon me, that do here upon my knees, as well as my heart as of my body, humbly and lamentably beg the same, beseeching God long to bless and preserve her majesty's royal estate; and to grant your lordship a continuance, with increase of happiness in government, which causeth me and all others, thus humbly to submit and prostrate ourselves at your feet. Amen.

Your lordship's most humble suppliant.

SHANE O'NEILE.

A BRIEF

A B R I E F
D E C L A R A T I O N
O F T H E
G O V E R N M E N T o f I R E L A N D.

O P E N I N G many Corruptions in the same,
Discovering the Discontentments of the IRISHERY;
and the Causes moving those expected Troubles :

A N D,

S H E W I N G means how to establish Quietness
in that Kingdom honourably, to your Majesty's
profit, without any encrease of Charge.

Wrote in the Government of Sir WILLIAM
FITZ-WILLIAMS, who was six Years Lord Deputy in
Ireland; that is, from the Year 1588 to the Year 1594.

By Captain THOMAS LEE, 1594.
Anno Regni Reginae 37°.

DECLARATION

OF THE
GOVERNMENT OF IRELAND.

Opening many Corruptions in the State;
Discovering the Discontentments of the Irish;
and the Causes moving those expected Troubles:

A N D

Shewing means how to establish Quietness
in that Kingdom honourably to your Majesty's
profit, without any encroachments of Charge.

Wrote in the Government of Sir WILLIAM
FITZ-WILLIAMS, who was for Years Lord Deputy in
Ireland, that is, from the Year 1588 to the Year 1594.

By Captain THOMAS LEE, 1594.
Anne Regent Regime 37.

To the Queen's most excellent
M A J E S T Y.

UNDERSTANDING, most gracious sovereign, the proud and insolent terms the lords of the north of Ireland do now stand upon, it maketh me bold to set down my knowledge of those parts to your majesty, because I have often debated with the chiefs of them, what was fit they should yield unto your majesty ; and that it was unmeet for them in any sort to condition with your highness : in the end (after long debating) they seemed somewhat to like and allow of that which I demanded, as hereafter shall appear. And because your majesty may the better judge the causes of their discontentments, I have here set down the unconscionable courses which have been held towards them, which being remedied, and that they may see your majesty doth no way allow of the same, there is no doubt (notwithstanding all their proud shews of disloyalty) but that they may be brought to dutiful obedience, and to yield you that profit which neither your majesty now hath, nor any of your progenitors ever had ; so as they may likewise have that which they demand, being nothing unfit for your majesty to grant. In which discourse, if any thing should seem unpleasing to your majesty, I humbly beseech you to pass it over, and to peruse the rest, whereof

whereof I doubt not, but something will content your highness, for that it tendeth to your highness's service and commodity.

My meaning, whereby your highness's profit may arise, is by O'Donnel, Maguire, Bryan Oge, O'Rorke, and Bryan Oge Mc Mahon.

THE demands I made for your majesty were these, that they should receive your majesty's forces into their countries; and your laws to go current, as they did in other places; and some part of their countries to be reserved for your majesty, to dispose unto them who should govern them, and they to charge themselves with that proportion that was fit for them to bear.

To those demands they all yielded, so that they might have such gentlemen chosen, as they knew would use no treachery nor hard measures towards them, but to live upon that which your majesty would allow; and that which they would give of their free consents, and to be no further charged; and they would be as dutiful as any other country in Ireland now is. And how this may be performed, I have made bold with your majesty's favourable liking, here to set down upon my knowledge, both how your majesty's forces may be received with their consent, and they to yield great profit in discharge of that which your majesty allows to the soldiers, and the soldiers to be well satisfied.

THE cause they have to stand upon those terms, and to seek for better assurance, is the harsh practices used against others, by those who
have

have been placed in authority, to protect men for your majesty's service, which they have greatly abused and used in this sort.

THEY have drawn unto them by protection, three or four hundred of these country people, under colour to do your majesty service, and brought them to a place of meeting, where your garrison soldiers were appointed to be, who have there most dishonourably put them all to the sword; and this hath been by the consent and practice of the lord deputy for the time being. If this be a good course to draw these savage people to the state, to do your majesty service, and not rather to enforce them to stand upon their guard, I humbly leave to your majesty.

WHEN some one who hath been a bad member (pardoned by your majesty) hath heard himself exclaimed upon to be a notable thief after his pardon; and hath simply come in without any bonds, or any other enforcement, to an open session, to take his trial, by your majesty's laws, if any could accuse him: notwithstanding his coming in after this manner, and without any trial at the time (because he was a bad man in times past) there hath been order given in that session for the execution of him; and so he has lost his life, to the great dishonour of your majesty, and discredit of your laws.

THERE have also been divers others pardoned by your majesty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majesty great service,

vice, and many of them have lost their lives therein ; yet, upon small suggestions to the lord deputy, that they should be spoilers of your majesty's subjects, notwithstanding their pardon, there have been bonds demanded of them for their appearance at the next sessions. They knowing themselves guiltless, have most willingly entered into bonds, and appeared, and there (no matter being found to charge them) they have been arraigned only for being in company with some one of your highness's servitors, at the killing of notorious known traitors ; and for that only have been condemned of treason and lost their lives : and this dishonest practice hath been by the consent of your deputies.

WHEN there have been notable traitors in arms against your majesty, and sums of money offered for their heads, yet could by no means be compassed, they have in the end (of their own accord) made means for their pardon, offering to do great service, which they have accordingly performed, to the contentment of the state, and thereupon received pardon, and have put in sureties for their good behaviour, and to be answerable at all times, at assizes and sessions, when they should be called ; yet, notwithstanding, there have been secret commissions given for the murdering of those men. They have been often set upon by the sheriffs of shires, to whom the commissions were directed, in sundry of which assaults, some of them have been killed, and others have hardly escaped. And after all this,
they

they have simply come without pardon or protection, to an open place of justice, to submit themselves to your majesty's laws, where they have been put to their trial upon several indictments, of all which they have been acquitted, and set at liberty. If this be a course allowable, for poor men to be handled in this manner, and to be at no time in safety of their lives, I humbly leave to your majesty.

WHEN many notorious offenders have submitted themselves to your majesty's mercy, and have been accepted, and have had their pardons, and have put in good assurance to be at all times answerable to your laws; the chiefest rebel (whose followers they were) hath been countenanced and borne out by your state, to rob and spoil, burn and kill, these poor men who did thus submit themselves, when they have very pitifully complained against that arch-rebel and his complices, of these outrages, they have been sharply rebuked and reprov'd for their speeches, and left void of all remedy for their losses, so as in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected, and utterly discomforted, yet, nevertheless, remained dutiful subjects, although they see that such as continue notorious malefactors, are in far more safety than they who depend upon your majesty's defence.

FOR it is well to be proved, that in one of your majesty's civil shires, there lived an Irishman, peaceably

peaceably and quietly, as a good subject, many years together, whereby he grew into great wealth, which his landlord thirsting after (and desirous to remove him from his land) entered into practice with the sheriff of the shire, to dispatch this simple man, and divide his goods between them ; they sent one of his own servants for him, and he coming with his servant, they presently took his man, who was their messenger and hanged him, and keeping the master prisoner, went immediately to his dwelling, and shared his substance (which was of great value) between them, turning his wife, and many children to begging. After they had kept him fast for a season with the sheriff, they carried him to the castle of Dublin, where he lay by the space of two or three terms ; and having no matter objected against him, whereupon to be tried by law, they by their credit and countenance, being both English gentlemen, and he who was the landlord (the chiefeft man in the shire) informed the lord deputy so hardly of him, as that without indictment or trial they executed him, to the great scandal of your majesty's state there, and impeachment of your laws. For if this man had been such an offender as they urged, why was he not tried by ordinary course of law, whereby good example of justice might have been shewed, and your highness benefited by his wealth, which they shared ; but to cut him off by martial law, who was a good householder, inhabiting a civil country, always
liable

liable to law, and last imprisoned in Dublin (where all the laws of that land have their head) was in my conceit rather rigour than justice; for as martial law is very necessary, and (in my opinion) ought to be granted to all governors of remote and savage places, where your majesty's laws are not received, with all other authority and power severely and sharply to cut off or punish offenders, according to the quality of their offence, until such time as the people shall become civil, and embrace the laws, and peaceable living (for 'till then they are not to be governed without the like measure of justice) so to use the same where the people are civil and obedient to other laws, is very indirect, and favours of cruelty; and yet this, and the like exemplary justice, is ministered to your majesty's poor subjects there, who, if they have once been offenders, live they never so honestly afterwards, if they grow to any wealth, are sure by one indirect means or other to be cut off.

WHEN there have been means made to an aged gentleman (never traitor against your majesty, neither he nor any of his ancestors, and dwelling in one of the remotest parts of your kingdom) to come into your state; and that the hard courses used to others, made him demand security for his coming in, which hath been sent unto him by great oaths and protestations, delivered by the messenger, whereof he hath accepted, and thereupon come in: yet, notwithstanding all these promised safeties, this aged gentleman

man hath been detained prisoner six years, and so yet remaineth. And his imprisonment is the only colour to satisfy your majesty for a wonderful great charge, which your majesty and your subjects were then put unto. But his detaining contrary to promise, hath bred great fear in all or most of his sort (in those parts) of crediting what your state there shall promise.

WHEN upon the death of a great lord of a country, there hath been another nominated, chosen, and created, he hath been entertained with fair speeches, taken down into his country, and for the offences of other men, indictments have been framed against him, whereupon he hath been found guilty, and so lost his life; which hath bred such a terror in other great lords of the like measure, as maketh them stand upon those terms which now they do.

WHEN there hath been a stratagem used for the taking into your majesty's hands a young youth, the heir of a great country, by whose taking his whole country would have been held in obedience, the practice whereof was most good and commendable; yet (after the obtaining of him) his manner of usage was most dishonourable and discommendable, and neither allowable before God nor man. My reasons are these: he being young, and being taken by this stratagem, having never offended, was imprisoned with great severity, many irons laid upon him as if he had been a notable traitor and malefactor, and kept still amongst those who were
ever

ever notorious traitors against your majesty ; having no other council or advice, or company, but theirs, what good could come to this young man for his education amongst such, I humbly refer to your highness.

THE taking of him as is aforesaid, was most commendable, and for the good of that country, so he had been brought up in this manner, presently to have been sent to your majesty, to have been instructed in the fear of God, to have known his duty to your majesty, and to have been furnished with all necessary parts for a gentleman. And as your majesty should have found his disposition, so either to have detained him here or sent him home into his country, whose good example (by his virtuous training up) might have done God and your majesty much good service in those parts.

I HAVE been the more bold to discover unto your majesty the dishonourable managing of your service there, by the indirect cutting off of sundry your majesty's poor subjects, because it pleased your highness (many years since) to impart unto me, how much you abhorred to have your people there dealt withal, by any practice, but only upright justice, by your majesty's laws and forces, which being otherwise handled, I desire to make known unto your majesty, and your most honourable council, for redress thereof.

BUT I fear, that they who have well liked that course, and have been practisers of the same, will inform your majesty, that those people are so bad,

as it is no matter of conscience to cut them off any way howsoever, which is (in my opinion) for none but tyrants and beggarly princes to imitate. But your majesty being of so great power to offend the mightiest kings of the world, and to revenge yourself upon them, may with much honour suppress your own vassals, by your highness's laws and forces, wherewith you are at charge in those parts for that purpose.

THESE principal instruments, as the lord deputy, and they who have been his assistants in those dishonest practices, have not only used these bad means against those poor remote and savage people, but have done all their endeavours (so far as in them lay) to discomfort and discredit your majesty's best servitors, living under their commands, because they misliked to execute such unjust practices and devices; and to allow of their covetous, unconscionable and dishonourable gettings.

I AM emboldened, most gracious sovereign, to declare thus much, because, not only my poor self (one of the meanest in that place of service) have been partaker of it; but some of your majesty's chief officers also have tasted the indiscreet bitterness of the two last lord deputies, as namely, Sir Robert Gardiner, in his place of justice, a most worthy man, and void of all manner of corruption; and Sir Richard Bingham, in his place of government, against whom (even within his own jurisdiction) traitors have been suborned and countenanced by them, and the

the like, in nature, though not in quality, hath been done against myself; and as for Sir Richard, there was never man in his place that hath done your majesty like honourable service, without increase of charge. For my own part, I leave the report of my service, to such as know it, and have seen it; yet have they not only done me injustice there, but have also used their best friends and credit here, to obscure my good deserts, and to make (as far as in them lieth) me a man to be hated of your majesty, depressing me with all their might and authority there, and crossing me with all their ability and malice here, not because I have slackted or not performed your majesty's service at any time, but for that I have afore time, and now, discovered unto your highness their dishonourable dealings, and intolerable corruptions.

AND I desire not that your majesty should either simply credit me in this my plain detecting them, nor they in excusing themselves; but, if it please your highness, to appoint commissioners in that realm for the trial, if I prove not directly all that ever I have here declared, let me lose your gracious favour for ever.

THUS far of the disordered courses there held, all which notwithstanding, your majesty's profit, may arise in those parts, in sort, as followeth:

FIRST, for O'Donnel's country, it may please your majesty to send thither these gentlemen, against whom O'Donnel nor his country can take any exceptions; neither your state there can

think them unfit for judgment or ability; namely, captain Anthony Brabazon, to be seneschal of that country, and to have under his charge 25 horse; captain Nathaniel Smith, to have 100 foot; captain William Warren, to have his 5 horsemen restored to him (which Sir William Fitz-Williams bestowed upon others) and added to the 20 which he hath, to strengthen his band, and to be sent thither to be sheriff of that county. And for the settling of your majesty's forces there, to reserve these lands to be inhabited by those whom those gentlemen shall take with them, viz. one small barony belonging to Tyrconel, on that side of the river towards Connaught, called, as I take it, the barony of Carbery; the castle of Ballyshannon to be reserved still in your majesty's hands, for him who shall command there; the abby of Tashiroe to be bestowed upon the seneschal; the abby of Donegal and the abby of Derry, two abbies, that have no lands belonging to them, so much land therefore to be laid unto them, as shall be thought sufficient for their habitations who shall be drawn thither.

AND the remain of the whole country to be given to O'Donnel and the chief men under him, so as they will contribute to this charge, which is only the diet of the hundred foot, which they may pay in meal, butter and beef according to their usual manner, and your majesty's chief rent besides, which is 200 *l.* yearly, to be the seneschal's fee, which 200 *l.* your majesty seldom or never hath. This I believe O'Donnel
will

will submit himself unto and perform, if he may be handled thereafter.

THIS garrison once settled in that place, will procure great quietness in your province of Connaught, and stop the only passage which they have to go to and fro to assist any traitor that may rebel there.

FOR Maguires country called Farmanohan, Sir Dudley Loftus with his 25 horse (whereof he also wanteth five taken from him as aforesaid is mentioned) to be restored to him, and he to be sent seneschal of that country; Henry Warren his brother-in-law, to be sent as sheriff and assistant unto him, and to have 100 footmen under his charge, your majesty to bestow upon those two gentlemen (to be inhabited by them and their friends) all those islands which are upon the lough, and that one abby which is in the country and the lands belonging to it, and the castle of Iniskillen, lately taken from Maguire and the rest of that country, to remain to the chief men inhabiting there, so as they defray the seneschal's fee and the charge of the 25 horse, to be levied in butter, meal and beef, both for the diet and wages of the horsemen and their horsemeat, in such sort as the Irishery themselves shall set down, which will be a greater proportion than your majesty would demand.

FOR the county of Monaghan called Macmahon's country, in respect of the great dislike which the Irishery have of the now seneschal there, it may please your majesty to let him be

removed, and in his place (for that it is next to the earl of Tyrone's country, and the chief place of the earl's abode) that Sir George Bourchire may be sent thither as seneschal, because of the companies of horse and foot which are under his charge, and for that he is a gentleman of good worth, who will with some good show live in the place, which will be a great comfort to the earl to have such a neighbour; and to assist Sir George in that service, to send Sir Henry Duke as sheriff of that country, to be placed in the Abby of Cloonis (which is your majesty's, and himself your farmer there) with his own company of light-foot, and a band of 100 foot more to be there in garrison.

This place of Cloonis is the only passage from M'Guire's country and those parts, whereby the rebels may be stopped from doing your Majesty's good subjects any great damage in the English pale.

YOUR Majesty may supply those places with 200 foot and 25 horse without any increase of charge, taking them from such of the old garrisons as may very well spare them, for some one of them is well worthy of a company, because (in the last conflict with the rebels) he lost his colours and all his men ran away; and he who receiveth such a dishonour by such base traitors, it is a pity ever he should carry colours or credit any more.

THE aforementioned 200 foot and 25 horse are to be placed in Terconnel and Farmanohan, and the

the 100 foot to be under Sir Henry Duke in Monaghan; at the abby of Cloonis may be also one of the companies of the old garrison, and yet all other places of service very well furnished within.

WITHIN short time after Sir William Fitz-Williams his receiving the sword (he finding many of your majesty's garrison-bands of soldiers in the hands of divers of your highness's counsellors there) had an intent to take them from them, and to dispose them to such gentlemen as were more fit to follow your majesty's service, and often said it was no reason but rather a great shame that such as were assistants to him at the council board (having great offices and great entertainments belonging to them, and being otherways men of good living, and yet unable to lead men and follow the fury of the wars) should have bands of your majesty's soldiers remaining in their hands; adding moreover, that it was unfit and unsafe for your majesty's men and service to be trained by and trusted to their officers discretion, but rather to be bestowed upon gentlemen of worth, ability, and skill to follow the wars, which purpose of his, if it had taken effect, would (no doubt) have advanced your majesty's service in that kingdom very much; but when he better considered his own estate and his coming to that place, and what peril he should draw unto himself to hinder all his purposes of gaining, if he should strive with these great ones, he thought it more safe to let those bands remain as they were

were than to pluck such a danger upon himself, for he knew if he should displease them (being men of great friends and abilities) he could not have lived there six years to have made his commodity of that your majesty's poor kingdom deserving the place so little as he did.

BUT your majesty being free from such doubts as troubled him, may dispose those bands (as he had purposed) unto men of good deserts who have been long trained in your majesty's service there without reward, and many of them live discontented to see men of no worth accounted of, and themselves being men of value neglected.

WHEREBY also your majesty shall encourage many others to offer themselves freely to your highness's service, when they shall see good deserts rewarded.

IF these counsellors had been heretofore themselves employed with their bands in the remotest parts there, to do your majesty's service in person, where great need ever was, there is no doubt but it had much avail; but to hold their bands of soldiers as they have done and yet do, there is no reason why they should have them.

BUT to return to my purpose; these bands being well disposed of, and the forenamed garrisons placed in manner before expressed, and the same accepted of by the Irishery, because they shall see that it tendeth to their good, and that nothing shall be taken from them more than is compounded for, shall win them to honour, love and obey your highness, and your officers and laws.

YOUR

YOUR majesty (to have this good service affected) may be pleased, that as well the chief commanders of these garrisons, also the soldiers, may be fully paid all their entertainment every month, whereby your majesty shall be freed from the charge of their victualling, and they shall have no cause to exact upon the poor people for want of victuals or other provision.

IT may likewise please your majesty, in respect of these late and present wars and troubles have greatly impoverished them, to grant unto the inhabitants of those countries of Tyrconnell, Farmanohan, and Monaghan, two whole years respect before they shall pay any of the aforesaid contributions; and that for those two years they may not have any assizes or sessions within their countries, but that the seneschals of those places may have full and absolute authority over them, together with martial law (as hath been accustomed) to cut off all malefactors and stragling traitors; in which time those countries may be quietly inhabited, and grow to some competent means to live upon, and be able to pay your majesty.

AND likewise it may please your Majesty, to appoint them such a judge for the circuit as will use them with all clemency and mercy, and not to take such slender advantages against them as many of their own countrymen have done; for, I assure myself, if the choice of a justice was left to themselves, they would never choose an Irishman, because none are so corrupt as they.

WHEREAS

WHEREAS young O'Rourke is also out, and a great disquiet of your majesty's province of Connaught, he will in like sort yield himself a subject, and receive a sheriff into his country, and pay all duties appertaining, so as he may be accepted into grace and restored to all that was his father's. This I think he verily will perform, because I have been moved to be a dealer between Sir Richard Bingham and him.

AND whereas I have taken upon me to nominate certain gentlemen as fit men for the places afore said without any of their privities, yet I am well assured (if it please your majesty to appoint and command them) they will with all their abilities and endeavours be ready; but if any of them shall mislike in respect of the dangers of the places and smallness of their companies, there be others who will undertake it.

A GREAT part of that unquietness of O'Donnel's country came by Sir William Fitz-Williams, his placing of one Willis there to be sheriff, who had with him three hundred of the very rascals and scum of that kingdom, which did rob and spoil that people, ravish their wives and daughters, and made havock of all; which bred such a discontentment as that the whole country was up in arms against them, so as if the earl of Tyrone had not rescued and delivered him and them out of the country, they had been all put to the sword.

THE profit which shall redound to your majesty by placing these garrisons afore said in this
sort,

fort, will (after the first two years) amount yearly to 6000 marks, that is to say 3000 marks to be saved, and 3000 marks to be gained.

CONCERNING Tyrone, as your majesty hath bestowed it upon the earl, so for the better furtherance of the aforesaid services, it may please your highness to accept of his own affairs, which were that all Tyrone might be but one county, which granted, he would (upon his own charge) build a goal and a session-house, and receive a sheriff into his country, whereby your laws might be observed there.

AND where the earl's adversaries have in times past incensed your majesty against him for the hanging and cutting off one Hugh Gavelock a notable traitor, and son to Shane O'Neale, informing your majesty that the said Hugh was your majesty's subject, it shall be well proved that he was ever a traitor against your majesty, a daily practiser with foreigners (as the Scots and others) for the disturbance of that kingdom, and one who sought by all means to overthrow the earl, who by martial law (which he then had) did cut him off for his offences. For the doing whereof, he did incur your highness's displeasure; and the said martial law, which kept that whole country in awe, was taken from him, the want whereof has made his country people grow insolent against him, and careless of observing any humanity or duty which hath bred the outrages now in practice, so that (in my poor opinion) it were requisite to restore
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the same authority unto him, provided it should not extend to the cutting off of any but such malefactors as shall be of his own country, his tenants and followers; and I dare say he may every year hang 500 false knaves, and yet reserve a great stock to himself: he cannot hang amiss there so he hangs some body.

For the performance of the service in those aforefaid countries, it is not O'Donnell, Maguire, Brianoge Macmahon, nor Brianoge O'Rourke, nor any of those four who must be dealt withal, for they are all traitors and villains, and most obstinate against your Majesty. But the foundation must be laid upon the earl of Tyrone, to draw him by any reasonable conditions unto your majesty, that you may have conference with him, and as he is made by your majesty a great man there, so may he be also a special good member in that commonwealth to redress and remedy many great disorders, which no doubt he would faithfully do, if he might be trusted, for what maketh a man honest but trust.

And whereas some affirm that he standeth upon a pardon for himself and his followers; I think not so, for he and they hold themselves in less safety thereby, than they were before, because they have seen pardons serve (in their conceit) rather for traps to catch others in, than for true and just remission and acceptance into the free benefit of subjects, which maketh him fear the like practice towards himself.

FOR

FOR whom, although I have undertaken at my first coming, that he should have performed as much as I then delivered on his behalf to your majesty, now I dare not engage my credit so far for him, because it is long since I saw him.

BUT if it please your majesty to send me unto him with encouragement and protection immediately from your majesty, that he shall come to your lord deputy there, and to your highness here in safety, to come and go without impediment or stay of his person; I doubt not but to bring him and his son (whom I would wish to be detained, but as himself shall like of) and whatsoever he undertaketh to the lord deputy, coming in after this manner, there is no doubt of his performance: I know his adversaries, who never were such friends as they might have been to the commonweal of that kingdom, will be earnest with your majesty against this, and that it is a great dishonour to you to grant it; but it will be proved, by their testimony who live there, how greatly it shall advance your majesty's service in this dealing with him, who hath been heretofore served faithfully and valiantly, and hath therefore well merited, and shall save the lives of your highness's subjects, and the expence of much of your treasure.

THEY who will be against this, have those many years suffered notorious traitors, namely, Feagh M'Hugh, and the bastard Geraldines, mightily to dishonour your majesty, in the very view of your state; and with that base rebel and
his

his adherents they will deal as it were by way in-treaty to accept of protections, which is as much dishonour to a prince of your excellency and greatness as may be, so to condition with such beggarly objects, as have neither power nor wealth, and yet are noted here to be great and dangerous men to your state there.

I F there go not some speedy contentment to the earl, to stay all this expected fury which is very like to happen, but that there must be present wars made upon them, your majesty shall take them in hand at a very unfit time, when they are thoroughly provided, to do great mischief, and your majesty, not so provided to defend your poor subjects from their sudden force and fury.

YOUR majesty, since you were queen, never had so great a cause to bethink you of the service of that place, as now you have. Your highness shall not get so great honour in cutting off him, and thousands of those bare people that follow him, as you shall to win him and them to be good and loyal subjects, and to live and serve your highness for good offices. As the case now standeth with the earl, he hath small encouragements to be otherwise than now he is.

FOR where it was your majesty's pleasure he should have great encouragement given him, by thanks for his last good service against Maguire, it was held from him, and instead of that, they devised all means and policies to aggravate matters against him to your majesty, which is credibly

dibly made known unto him ; and more, that upon what security soever he should come in, your majesty's pleasure is to have him detained. How he hath these advertisements from hence, I know not, but your majesty is, or shall be informed that he and his lady are papists, and foster seminaries, &c.

TRUE it is, he is affected that way, but less hurtfully and dangerously than some of the greatest in the English pale : for when he is with the state, will accompany the lord deputy to the church and home again, and will stay and hear service and sermon ; they, as soon as they have brought the lord deputy to the church door, depart as if they were wild cats, and are obstinate ; but he, (in my conscience) with good conference, would be reformed ; for he hath only one little cub of an English priest, by whom he is seduced for want of his friends access unto him, who might otherwise uphold him.

THERE hath been an old *dunsical* demand in taking pledges of such as are held dangerous men to your majesty's state there. I make bold to give it that term, because there is no one who hath known your service of Ireland longest, who can set down and prove that ever Irishman was held in obedience by his pledge : if any can, let me lose my credit for ever. I am able to set down of my own knowledge, almost by 20 years experience, in which time I have seen many pledges taken for the Irishery,
for

for retaining them in obedience, the father for the son, the son for the father, the brother for the brother, and many other of like nature, that they have taken their times, nevertheless, without any regard of pledge, to play the traitors against your majesty at their pleasure. For when they neither fear God, nor be careful of their duty towards your majesty, nor for your force to reform them, your majesty may be assured, it's not their pledges that can hold them in obedience. Your majesty, therefore, may (in my opinion) do well to let no such demand be made of them, but when they shall give cause of offence, let them be thoroughly followed with your forces, and plagued in such sort, as may make them afraid to offend you. For the less your majesty shall esteem them, the more obedient you shall have them; and by this course your majesty shall save a great deal of charge for the diet of such as they put in for pledge.

AND where there was a credible report made, that the earl of Tyrone came into the now lord deputy, without pardon or protection; I assure myself, your majesty shall find he came in upon the credit of your state, altho' in policy he might be willed to give out otherwise, and no doubt; but such as have often mistaken his actions and intents, would make an open demand of him, how? and he perhaps answer them, without protection; and upon this his answer, they might be very importunate with
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the lord deputy and the council, that he might be detained for great matters of treason, where-with they had to charge him, which demand of theirs being refused, it is not unlike but they would either write to your majesty, or to their friends here, to inform your majesty how provident they were to have him safe kept, and yet their cares and offers were neglected.

LET those devices of theirs take effect, or otherwise to have him cut off, your majesty's whole kingdom there would moan it most pittingly ; for there was never man bred in those parts, who hath done your majesty greater service than he, with often loss of his blood upon notable enemies of your majesty's ; yea, more often than all the other nobles of Ireland. And what quietness your majesty had these many years past in the northern parts of that kingdom, it's neither your forces there placed, (which have been but small) nor their great service who commanded them, but only the honest disposition and carriage of the earl, hath made them obedient in those parts to your majesty. And what pity it is that a man of his worth and worthiness shall be thus dealt withal by his adversaries (who are men who have had great places of commandment) and neither they, nor their friends for them, are able to set down they ever did your majesty one good day's service, I humbly leave to your majesty.

IF he were so bad as they would fain enforce (as many as know him and the strength of his

country, will witness thus much with me) he might very easily cut off many of your majesty's forces which are laid in garrison in small troops, in divers parts bordering upon his country; yea, and overrun all your English pale, to the utter ruin thereof; yea, and camp as long as should please him even under the walls of Dublin, for any strength your majesty yet hath in that kingdom to remove him.

THESE things being considered, and how unwilling he is (upon my knowledge, to be otherwise towards your majesty than he ought, let him (if it so please your highness) be somewhat hearkened unto and recovered (if it may be) to come in unto your majesty to impart his own griefs, which no doubt he will do, if he will like his security. And then, I am persuaded, he will simply acknowledge to your majesty how far he hath offended you; and besides (notwithstanding his protection) he will, if it so stand with your majesty's pleasure, offer himself to the marshall (who hath been the chiefest instrument against him) to prove with his sword, that he hath most wrongfully accused him. And because it is no conquest for him to overthrow a man ever held in the world to be of most cowardly behaviour, he will, in defence of his innocency, allow his adversary to come armed against him naked, to encourage him the rather to accept of his challenge.

I AM bold to say thus much for the earl, because I know his valour, and am persuaded he will

will perform it ; and what I have spoken of him, over and above this, these reasons have led me to it.

BEING often his bedfellow, he hath divers times bemoaned himself, with tears in his eyes, saying, if he knew any way in the world to behave himself (otherwise than he hath done) to procure your majesty's assured good opinion of him, he would not spare (if pleased you to command him) to offer himself to serve your highness in any part of the world against your enemies, though he were sure to lose his life.

AND as he hath in private thus bemoaned himself unto me, so are there many eye-witnesses here in your highness's court who have seen him do no less openly ; which tears have neither proceeded from dissimulation, or of a childish disposition, (for all who know him will acquit him thereof) but of meer zeal unto your highness, and grief and fear to lose your favour, whom he desireth with life, and all he hath, most dutifully and loyally to serve.

WHEREAS I have taken upon me to nominate certain gentlemen as fittest to be employed in the above mentioned services in those remote places, I know there will be great exceptions against them, because they are thought to be too near friends to the earl. But I will prove, that none can ever do your majesty such good service there, as they who have been always trained up in those parts in service, and are best acquainted with the earl, and the other lords

of those countries. And I am of opinion, if it were demanded of the earl and the rest, they had rather have strangers placed in those places, than those gentlemen of their acquaintance: because these, in any outrage in these countries, dare trust the earl with themselves and their small troops, to be aided by him, whereof they should not fail, when strangers would be loth, and fear so to do: for their trust will procure the earl and his followers to undertake and perform with them whatsoever they shall require for your majesty's service.

AND what is it to your majesty to lay upon the earl the trust and credit of settling your majesty's forces in those parts, and to give him your majesty's free protection to come in, without fear, from time to time, to answer to any thing that shall be objected against him, and to retire home again? And if it shall at any time happen that he shall so offend, as to deserve punishment, then your majesty is to prepare your princely forces, and make royal war upon him, letting him sharply taste what it is to offend so gracious and great a prince.

AND likewise, the rest of the lords of those countries are (upon the receiving in of your majesty's garrisons, and paying the duties and compositions before specified) to have the like measure afforded them.

I AM the bolder, most gracious sovereign, to set down this my opinion for managing those remote places, and preventing these present expected

pected troubles ; because I have been an eye-witness of a needless and a chargeable war held against one of the lords of the north, namely, Surleboy, a Scot, which war ended not by your majesty forces, but by the loss of that rebel's chief instrument, his son Alexander ; yet were the said traytors intreated to accept of their pardon, and had more bestowed upon them for playing the traytors, than they demanded before. And my fear is (if this expected fury shall follow to be wars) it will fall out to the like or a worse issue : for he who doth now oppose himself against the earl, was the chief commander then, and did most dishonourably perform it, as shall be apparently proved, when it shall please your majesty to appoint.

I HAVE heard, many think much that the earl performed not his promise with the now lord deputy, but they little consider what slender encouragement he had given him at his coming in to do it. If he found, as like he did, in what great peril he was to be detained, as notwithstanding the assurance whereupon he came in, if his adversaries credit would have place, he had been restrained. There was no likelihood of his performance of any thing he then undertook, because he saw himself in so great peril, neither is it like he will hereafter hazard the like. But if his promise be expected to be performed, then, I think, he desireth good assurance, first, of his own safety, whereupon there may be hope he will effect all promises, good

offices, and services, for the good of that poor kingdom ; and till then, there is nothing to be expected from him but doubt, and preparation to defend himself, and offend greatly.

W H E N your majesty's garrison soldiers were first planted in the county of Monaghan, there was great service offered to Sir William Fitzwilliam by Sir Henry Duke, for his sitting down at the abby of Cloonis (whereof he is farmer) with his own company of light foot, and fifty of your highness's garrison soldiers, and to have discharged your majesty of all manner of victualling charge, only to have been monthly fully paid their entertainment ; and at that time there were at the same abby good and defensible buildings to succour your majesty's garrison, which are defaced and pulled down by the traitors, for fear they should serve for that purpose. If this offer had then been accepted, it had greatly furthered your majesty's service now, and peradventure had prevented, or at least hindered the troubles now expected, because it is so near upon Maguire's country, and the stay of his passage to the English pale.

N O T W I T H S T A N D I N G it much imported that this service should have been hearkened unto, yet Sir William Fitzwilliam his malice at that time was so extreme against Sir Henry Duke, who no doubt would have performed it as effectually as he offered it, as he utterly rejected it; even as he did the like and many greater services offered by other your majesty's good servants there.

H I S

HIS greedy desire at that time, in respect of his own gain, made him careless of these offers, and of those good servitors, who would freely offer themselves; he esteemed best of the baser sort, as of one Willis, and such as he was, whom he made captains and officers in the Irish countries, who with their great troops of base rascals behaved themselves so disorderly, as made the whole country to rise in an uproar, and to drive them out, with advantage given by those bad and lewd fellows to the ill-disposed Irishery, hath emboldened them ever since to stand in no fear or subjection of your highness's state or forces there. These, and many the like services, as bad or worse, did Sir William Fitzwilliam, whilst he had authority in that place.

ALTHOUGH many needless journies were made by Sir William Fitzwilliam, which were both chargeable to your majesty, and troublesome to your poor subjects, yet was there one into the province of Conaught, which was very necessary, and grounded upon probable reason, determined for the cutting off and utter banishing of the traytor O Rourke, and all his confederates; which service could not be performed without the assistance of the earl of Tyrone, who was sent unto before the journey was undertaken. The messenger was one belonging to your highness's council there, a friend of Sir William Fitzwilliam, and one well-affected by the earl, who declared to him the cause of his coming down to be for preparation against O Rourke, and

what the lord deputy's demand was, that the earl should perform therein. The earl most honourably (as he had oftentimes before) undertook to perform as much as the lord deputy then required, returning the said messenger very well satisfied, for he sent the lord deputy word, he would be ready to attend the service with 1000 men at the place appointed, and more he would have brought, if he had more time, or sooner warning. The place to him assigned was on the border of Tirconell, on that side of Lougherne towards Conaught, there to stop the passage, that O Rourke with his companies and creatures should not that way escape into those parts, which he well liked of, and promised so to do, adding further (if it pleased the lord deputy to command him) he would break a ferry with his forces into O Rourke's country, and either drive him out of it, or deprive him of life, and prey his whole country, and do great service upon all O Rourke's adherents. This answer of the earl's seemed to satisfy the lord deputy very well, who prepared your majesty's forces forthwith, and sent word to the earl to be in readiness upon six days warning.

THE lord deputy took with him all your highness's garrison, and the raising out of the pale as many as he thought fit, and went onward his journey, giving out (because the rebels should not suspect) that it was only to see sessions and assizes duly kept in Conaught, and sat in divers places accordingly, insomuch as at length he
came

came to Sligoe, which joins upon O Rourke's country, where he abode four or five days with all his forces, being sufficient to execute upon O Rourke, and the other traytors, as much as he had before determined; the earl all this while expecting when he should be called to that pretended service, kept all his forces ready together for the purpose, which was no small charge for him. But as it fell out afterwards, Sir William (as it seemed) had no such intention; for upon a sudden he departed from Sligoe, journeying quite cross the whole province to Limerick, leaving O Rourke's country at his back, doing no service, but charging the poor country (whereof as then it had little need) imposing the performance of all this expected stratagem to Sir Richard Bingham, with some of the garrison to assist him, who most honourably and painfully prosecuted the said proud traytor upon his feet, to the great endangering of his life by the disease of the country, which caught him in the pursuit of that traytor whom he then drave out of his country, by which means he was afterwards sent to have his deserts here in England. Which exploit (if it had been performed as it was plotted by Sir William Fitzwilliam) O Rourke had perished there, and all those traytors, which are now assistants to his son, had then been cut off.

AND if it shall seem to your majesty, that the time will be over long to have all these (and those other notes by me before delivered to your majesty)

majesty) tried by commission, it may please your majesty to let him presently be called before your honourable council here, to see how he can answer, first, the leaving off of this so great and necessary a service by himself plotted; secondly, why he placed not your highness's garrison (lying then idle, and doing no service) in Tierconell for the respects aforementioned; and thirdly, why he refused the many great offers of those your well known and experienced servitors there, which was to do several services, and put your majesty to no charge for the effecting of them; and to make choice of such base men as Conell, Fuller, and Willis, whose behaviour I have partly touched before, being such as a well advised captain of that kingdom would not admit into any office in his company.

HIS answering in these three points, and as many of the rest as shall please your majesty, will, I don't doubt, be so gross, as your majesty and honourable privy council may the more easily judge of the rest. It may be, most gracious sovereign, that he will frame answers to all my objections, or else be persuaded by some of his friends, not to esteem them worth answering, in respect of the inequality of my estate to his, chiefly for the place which he held. For this I appeal to your majesty, how much it importeth. And I do further affirm, that until he can disprove these my allegations, or some of them, I ought to be credited as well or better than he; because

because he hath avouched to your highness' most honourable council monstrous and apparent untruth, which I can as well prove as any of these aforesaid articles, namely, about the buying and getting of imprest bills into his hands, which he hath sworn and forsworne that he never did; but for the proof hereof, if it be your highness' pleasure, that Sir Henry Wallop and his men be called, they can testify what great sums of money they have paid him for imprest bills in the time of his government, whereof most of them came to him better cheap than buying: for some were given him for cows, which he took in bribes, upon base conditions, of the Irishrie; other for placing men in sundry offices. And he that will make no conscience to forswear such a thing before so honourable personages, is hardly to be credited in excusing greater matters.

It may be also upon demand, why he did not place your majesty's garrison soldiers in those Irish countries? he will answer, that they could not be spared from other places; wherein your majesty may well reprove him thus; for those were the places where the foot-bands were then bestowed; Sir George Bouchier's at the Dington in Ophalie, captain St. Leger's at the fort in Lease, captain Dowdall's band at Youghall, fifty of Sir Henry Wallop's band at Eniskorthy, the Marfall's company at Newry. And in all those places there was no need of garrison, because there were no enemies out to do service upon, but they might very well have been bestowed

bestowed in other places, as some of them are now, when it is too late.

AND for the fifty soldiers under my charge, they did your majesty as little service in all the time of his government, as the rest, although they lie in a place of great service, which is at Knockfergus, he appointed such base commanders over them to direct them, as deserved not the pay of one of the soldiers. And although it was your majesty's pleasure that I should command them, as captain over them; and notwithstanding that I often made petition to him, and used all the means I could besides, to go down to my company, and to have that authority he gave to others, undertaking to do your majesty great service in that place, yet did he, (for what cause I know not) utterly refuse to grant my request; as he rejected many other great services by me offered unto him, holding me, to my great charge, to live upon the borders of Feagh M'Hugh's country, where I was fain to retain many men upon my own purse, to defend myself, and do your majesty some service upon those traitors; whereby, though it were to my cost, I took many notable rebels, who were commanders of men, and brought them in to abide the censure of your majesty's laws, which cut them off. For these, and many other services done in his time, he rewarded me with all hinderance that ever he could do me, not only by his authority and power, but by obscuring my deserts.

As

As it is the custom and manner, most gracious sovereign, of some to darken and disgrace the deeds of the well deserving, thereby to countenance and grace their own favourites, tho' they merit nothing, which manifestly appeareth in the plotting down of that service done upon that traitor Maguire the last year, which, as I understand (by Sir George Carew) was first delivered to my lord treasurer, and by his lordship shewed unto your majesty, wherein captain Dowdall is portrayed on foot, wading the ford in the fore front arm and arm with myself; which is most untrue, as one Sadler, who was then his ensign bearer, and divers other gentlemen, and others of credit who are now in your majesty's court, can testify. For he came not in the ford at all to wet his foot, but forsook his place, both he and his lieutenant behaving themselves as in my other notes I have declared to your highness already. But when he saw the rebels defeated off their place and driven to flight, then he came over the ford upon his horse, and so on horseback offered to lead the battle, which he ought to have done on foot, having no reason to ride, except he meant (if the enemy should make head again) to shift for himself. These and the like untruths (as the case now standeth) serve to grace such servitors, and to obscure and hinder the merits of such as deserve well. Although it would be too tedious to your majesty to hear of all the needless journeys made by Sir William Fitz-

williams

williams in the time of his government, yet can I not omit (besides that one before rehearsed) his last journey into the county of Cavan, by the which your majesty may judge of all the rest.

WITHIN short time after the overthrow to that traitor Maguire, wherein your majesty's soldiers were worn out, all manner of reparations, he sent for them to meet him 100 miles from their garrison places, which was at the Cavan. The time limited for their repair was but short, yet came they thither the day appointed. He carried with him many horsemen thro' the English pale, to the great prejudice and impoverishment of the same, by reason of his many needless journeys before. And he ought in conscience at that time have forborne coming into the county of the Cavan, because it was charged with 200 soldiers, which were newly erected for the service against Maguire, and paid only by the inhabitants of that country; yet nevertheless he made his journey thither, and there remained many days, to the great charge of that poor country, having no other cause but only to see a boat launched; which was so needless a journey undertaken and performed, that many a gentleman then under his command might (with his men) as well have effected, as it was by his presence; which course if he had taken, it had saved the great charge whereat your majesty then was, the extream and needless labour of your poor soldiers, and given the poor people of that country

try no cause of exclamation, who came before him in great troops with their plow-irons in their hands, ringing them together with pitiful moans, saying they were undone by his coming amongst them, because they were not able to bear the soldiers already put upon their charge. But so little was he moved with this their complaint, that he assailed them with more soldiers, horsemen and boys. In his return towards Dublin he was met by many of the said poor country people with the like lamentable outcry, which he regarded as much as the former.

HE commanded your majesty's soldiers back again to their places of garrison, as little respecting their long journey, and the relief of their wants, as he did the poor peoples outcry whom he had oppressed. It was then near Christmas, when the soldiers to whom (against that good time) he would not allow one penny of imprest, he seeing them all very poor and greatly troubled.

MOREOVER he was so miserable, as he refused to lend one of your majesty's captains 20 l. to imprest amongst his soldiers, he promising upon his credit, to pay the same within six days next after his coming to Dublin: such was his honourable mind, as he never respected no man's necessity in comparison of his own commodity. This needless journey, although it did not benefit him much, yet it served his turn another way; for he coming home to Dublin in the dearest time of the winter, a little before Christmas,

mas, it caused him to lie so close, and to keep so miserable a Christmas, as was never there seen in representation of the state.

HE who hath had neither care nor conscience in fundry sorts, to dishonour so gracious a prince as your majesty (who did most bountifully enable him to do your majesty good and honourable service, and to spend liberally in his house) but to turn all those your majesty's bounties to his own private gain, preferring that before your majesty's service and the good of those your people; your majesty (in my opinion) being advertised by those notes by me delivered, and the same proved true, may with safe conscience benefit yourself with that which he hath dishonestly gotten both by your majesty and your highness's subjects in that poor kingdom; which example will (no doubt) cause others hereafter to prefer your majesty's service and profit before their own, and to beware of the like trespass for fear of the like justice.

IT may please your majesty likewise to be advertised, that divers persons having been for their offences pardoned by your majesty, and thereby emboldened to frequent all places without fear, having been apprehended and committed straightway to prison without any cause given (since their pardoning) whereof law might take hold: they have offered very sufficient bail which hath been refused, and they detained because they in times past were bad (for which they were pardoned) or for fear they should be bad

bad in time to come. And being thus kept severely in prison many years, they have at length made friends there, and by great sums of money here, purchased from hence, whereby they have been enlarged; now when they obtain their liberty by these money means, and not by the justice which your majesty's laws allow them, they think themselves very hardly used, and others thereby become doubtful and afraid to trust to their pardons; supposing, if they want such friends and such means, they should either be indirectly cut off, or else for ever kept in prison, upon suggestion or surmise. But if they might perceive that it is not your majesty's pleasure to have them thus handled, and that none should lie in prison without receiving trial by your highness's laws, if their cause so required, or else upon good sureties to go at liberty; by either of which means, they may enjoy the benefit of your gracious laws, even as your good subjects which never offended; no doubt it would free them of great fear and suspicion, and make them more dutiful than ever they were.

THERE is one prisoner in the castle of Dublin an aged and impotent gentleman, of whom (if it be your highness's good pleasure) I desire your majesty shall take notice; his name is Sir Owen Mc Tool, one who was never traitor against your majesty, nor ever in any traiterous action, but so good a subject, and so faithful a servitor as (for his deserts) he had a pension from your
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majesty, whereof Sir John Perrott bereft him. This gentleman was sent for by promise and assurance from the state, that he should not be abridged of his liberty; contrary whereunto he was committed unto prison, where he hath remained these eight years; for whose enlargement all bail hath been refused, yet is the gentleman of so great years, as he is not able to go, and scarcely able to ride. For which respects and for the states promise (methinks) he ought to find favour. Moreover he is pledge for no man; if he were, pledges profit nothing as before I have rehearsed. He is father-in-law to the earl of Tyrone, and if the earl recovers your majesty's favour, how highly your majesty shall honour yourself by bestowing this old gentleman's liberty upon the earl, and how much your majesty shall provoke the earl to acknowledge your highness's favour therein, your majesty may easily judge and they who know the state of that kingdom can inform. But if the earl be not so happy as to obtain such grace at your majesty's hands, yet it may please your majesty graciously to regard the poor aged gentleman, that upon good sureties he may have his liberty; for which I know there would be five hundred pounds given, tho' he can by no means steed them in any bad practice against your majesty's state there, neither in body nor council, neither can his imprisonment stay any of his friends from doing evil, if they be badly disposed. If therefore your highness would

would be pleased to release him of your own princely motion, he putting in sufficient sureties within the English pale to be ever ready within twenty days to answer to whatsoever may be objected, yet shall bind him (as his bounden duty) always to pray for your highness, and mightily increase the affection of your majesty's people there.

AND if he or any other of whom such security shall be taken, shall afterwards offend as traitors, your majesty's coffers are to be enriched by the forfeiture of their sureties bonds (which are in no case to be remitted) and the traitors to be honourably cut off by your majesty's forces and your pleasure; which justice will be an example to traitors how they offend, and to their sureties how they become bound.

THERE have been (these many years past) divers traitors suffered, I might rather say suborned, in all their bad and traitorous actions who (if matters had been discreetly and uprightly handled) might either have been utterly overthrown or cut off, or else drawn to subjection and due obedience to your majesty and your laws, without any other or more charge unto your highness than you have been at continually: for your majesty's soldiers were not at all employed, and yet those traitors were suffered to go uncorrected for all their murders and treasons, nay more, to use your highness unreverently, which caused your majesty's good subjects with grudge and hearts grief often times to complain.

THE principal rebels and arch-traitors whom I mean, are Teagh Mc Hugh, and the bastard Geraldines, who are by marriage linked in affinity with that grand traitor, and because I would have your majesty understand how you have been long abused by untrue informations concerning this traitor and his complices, I protest they neither are of that ability to offend, nor of that power to defend, nor so hardly to be constrained to yield their due obedience as hath been reported, yea, and that without the employing of great troops of soldiers against them, or charging the near bordering subjects extraordinarily : for they will now with more willingness afford all their helps of provision in the traitors country than they have done heretofore, because then they were greatly charged and no whit defended. But if they might, such a one chosen and appointed for that service as they know would never cease until he had quite destroyed that den of mountain thieves, the poor subjects would neither spare charge nor trouble to assist him. The means how to reform these disobedient rebels, and to perform this service are these :

FIRST, Let no protection be granted to any, save only to such as shall come in unto him who shall be appointed to follow that service, and offer themselves to do offices against the chief traitors : which when they have performed, and that special good hath succeeded their draught, then let them have pardon for their former faults,

faults, and safe protection (without any traitorous practice which hath too commonly been used towards them) so long as they shall behave themselves as good and loyal subjects, living in duty and obedience unto your highness, your officers and laws.

AND if any who be or shall be in authority to protect, do send for any offender upon promise that the same shall safely come and go, and then shall (contrary to that promise) take away the life of that offender, be his transgression never so heinous, let that man in authority (be he never so mighty) lose his credit in that place, and be punished to the uttermost that law will afford, for so dishonouring your majesty when your highness's word is past: for such usage is the cause why they will not now come to the lord deputy upon protection, and much less will they trust any other, except they have had long experience of his upright and just dealing.

FURTHERMORE, whosoever hath a country or a seignory, which your majesty hath bestowed upon him, let him be bound that all his tenants shall be answerable to your laws, or himself to satisfy all spoils and trespasses which they, or any to whom they give maintenance shall commit against your majesty's good subjects.

I KNOW there will be great exceptions taken against this affirming, that many dwell upon their lands whether they will or not; let this (if it please your highness) be no excuse, for if he know how to receive his rents and customs,

let him likewise pay the spoil done to the good subjects, or bring in the offenders to answer to the law ; especially if they have the commandment of any of your majesty's soldiers, by whose assistance he may enforce them to obedience.

AND whosoever shall be appointed to serve upon the aforesaid traitors Teagh Mc Hugh and his adherents, shall not need to have more than 100 foot and some 20 or 25 horse, which horsemen it were requisite (for good respects) should be strangers to that border, and with this small number may he do very great service.

BUT if it be objected, that this proportion of soldiers is too weak to do service against so strong a traitor, if it may please your majesty to give me the leading of these soldiers and the credit of the service, I will either lose my life or effect as much as I have here set down. And where I will venture my life to perform such a service as this, I trust your majesty will venture your soldiers, and give me in charge to lie upon those borders to see your majesty's subjects live in safety, and to give those traitors and the inhabitants of those parts to understand, that henceforth they are no more to expect protection, but to submit themselves as subjects, and so continue, or else to feel the sharp punishment due to obstinate rebels. And to such as shall submit and do service upon the rest, there is pardon to be granted, and to him who shall do the best service, shall not only be given pardon, but also maintenance for him to live upon. By which means

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I am assuredly persuaded, I shall find instruments amongst themselves that shall serve effectually to cut off the rest; so shall your highness be honourably served, and those parts of your kingdom so near the state, be reduced to obedience, to the example of those countries which are more remote.

If this traitor Teagh Mc Hugh should be made more strong by his friends (as I see not how they should) and that further force should be required against him, your majesty's subjects in the English pale would willingly yield to your highness 600 soldiers, horse and foot, at their own charge for six months, and longer if need require, so as they might see your majesty would once take him in hand: thus much, many of the best of them, willed me to deliver to your highness.

THERE is no cause why these expected troubles in the north should hinder the present proceedings against these traitors in the south, who are persuaded they are spared, but till such time as your majesty have settled the north, and then they expect to be followed by your highness's forces for their cutting off: all things therefore considered, they should not be forborne till then, for if their wars in the north, these in the south will offend your majesty's subjects as much as they can; thereby to keep the state the more busied and troubled, and if they happen to be over hardly distressed, then will they fly to the north, there to be safe from your majesty's forces; which refuge, if they be once driven unto,

it's great odds they shall never come back to annoy the south, which I pray God I may never once see, and that some of your majesty's good subjects may dwell where that traitor Teagh Mc Hugh's forefathers and followers have remained these 100 years, to the great dishonour of the state and hurt of the poor subject.

For the due reformation of all the disorders in that poor realm of Ireland, and the execution of what worthy action soever shall be by your majesty, and your honourable council here determined, and for recovering the honour of that state, which former governors there have lost; your majesty, in my judgment, hath made a most excellent choice of the now lord deputy, a man accomplished with all necessary parts both in body and mind, as I doubt not but his service shall hereafter give good testimony, altho' he have received the sword in a far more troublesome and dangerous time than any of his late predecessors ever did. For neither the last Desmond's wars, nor those of Connor's and the Moore's, being both put together, are comparable to that which is now expected if it prove wars, which I desire (if it be God's will and your majesty's good pleasure) may be otherwise, not for my private affection for any in the north, but for the publick good which I wish to that poor kingdom.

For the benefit whereof, and for the performance of all such honourable services as are now expedient to be done, and all the rest before in
this

this declaration mentioned, it's your majesty who must not only direct him, but also thoroughly enable his lordship that he may give better encouragement to your majesty's foldiers to take pains in your highness's service than they have had or yet have, because they daily see that he who never served your majesty in those services, shall come to far better preferment in that place, than the best commander or serving servitor there, besides you cannot get that which they do painfully and faithfully serve.

WHAT encouragement then can a man have to offer himself freely in the wars of that country, who shall neither get honour, reward, nor payment for his labour; I speak by experience of myself, who (upon my credit) have not had ten crowns imprest of my own private pay those ten years, to furnish me towards your majesty's service when I was called upon, and yet I have made one at all times.

WHEN such hard measures then is offered unto captains, I humbly refer to your majesty, what encouragement they can have to go to the field. Although without money or any thing else, they will do their best endeavour with their substance and themselves, to do your highness service, because I know (and so do all the rest) that it's not your majesty's pleasure to have them so discouraged, but the fault is in them who have been thither sent as deputies, who have preferred their own gain before your highness's honour and service, or the just rewarding of
such

such as have most truly and painfully served, and for that they would pleasure such cowardly captains as were their instruments to bring them in cows to convert into angels, to cram their greedy purses, whom I have a better will particularly to name, than thus generally to write of; if I were persuaded, your highness would thereupon discard them: and I know they would not challenge me because I do them no wrong.

To encourage therefore your majesty's soldiers, and to furnish the lord deputy against all accidents that may happen, if it may please your majesty, that all the treasure which is sent over into that realm at sundry times, may be intirely sent at one time, with commandment, that your majesty's whole garrison may be fully paid every month, your majesty should be most honourably served, and the soldiers well contented, and the subjects not occasioned to exclaim for want of payment for the soldiers diet, when both captains and soldiers should have in their purses to satisfy that, and to furnish themselves with all other necessaries.

For notwithstanding your highness's garrison hath been so slenderly paid these many years, your majesty hath not saved any thing thereby, but it hath enriched a sort of base clerks and beggarly merchants who will not credit a captain now for a groat upon his bill; but all the commodity goeth to the lord deputy, the clerks and the merchants, so as the captain to furnish his company

pany can get no money unless he will give 400 for 200 or 200 for 100, and after the like rate; and in this powling manner your soldiers are paid.

FORASMUCH as your majesty doth pay all in the end, you may (if it be your highness's pleasure) as well benefit your captains and soldiers as other men's clerks, by sending an overplus of treasure to the lord deputy, to pay the old debt due only to captains and soldiers, which few thousands will discharge, except it be one man, unto whom your majesty oweth five or six thousand pounds, which (if it be your highness's pleasure) may with safe conscience be detained in your hands, because he hath so ill deserved, thro' the dishonouring your majesty in the place wherein he serveth.

AND now (most gracious sovereign) for that (as I have heard) it hath been credibly reported to your majesty that the last Desmond's wars did cost but 40,000 pounds, thereby the rather to induce your highness to make wars upon the north, I have thought it my duty (under your majesty's protection) to set down the truth thereof, whereby it may the more easily be judged what the charge of these expected northern troubles may stand your highness in, by comparing the said Desmond's wars and these together.

THE charge of those wars (notwithstanding the great supplies then had of your subjects, and the great succour and assistance of fundry castles and good towns which held firm and faithful

ful to your majesty, to receive and aid your soldiers upon all extremes, which towns and castles stood in most commodious places, not only to annoy, but utterly, in manner, to overthrow the traitor and all his co-partners. And where it cost your majesty then one pound, it cost your subjects three during all the time of those wars, which charge of your subjects I can well make, for the chief lord of one small village had but eight pounds yearly rent for the same village, he paid for one year's cess to your highness's soldiers thirty-eight pounds sterling, whereof I was also an eye witness) these wars I say did stand your majesty in four thousand pounds at the least, for the monthly charge was 7000*l.* besides the victualling by sea. And yet after all this your majesty afforded pardon to the basest rebel who then took arms against you, who yet liveth in view of your state.

THE cause of those Desmond's wars, was even like to this in the north, through the great mistaking of the Desmond's adversaries, and that it cost your majesty no less than I do here set down, Sir Henry Wallop can well testify.

MOREOVER there are no helps to be hoped for in the north, either of castles or towns wherein to garrison or once lodge your majesty's soldiers for the following and suppressing of those traitors, for those parts are merely void of such refuge. Again, all the friends to your highness in those countries are but two, O'Hanlon and Magenis, and they uncertain, as your majesty may thus judge :

judge: for O'Hanlon is married to the earl of Tyrone's sister, and merely enriched by the earl; Maginnis, his eldest son is to marry the earl's daughter. And if this affinity were the manner of the Irish is always to the part they see strongest; and when your majesty (as there is no doubt) shall prevail, they will then seek favour and make offer of much service, but seldom or never perform any; whereof myself have been too often a witness. These things considered, it may please your majesty and honourable council to be rightly and thoroughly advertised before there be wars made in the north parts, whatsoever by sinister informations may be suggested to the contrary.

For it is not the north only your majesty shall now have to deal withal, but your highness's whole province of Conaught shall be in great peril of losing, except Sir Richard Bingham be more strongly enabled or assisted than he is now, trusting to only one band of 100 foot and 50 horse, wherewith I confess he hath done great service. Knockfergus and the Glanboyes which are now garrisoned only with 100 foot and 25 horse (who have done your majesty no service by reason of such bad commanders as have been appointed over them) cannot but be lost without a very great garrison and exceeding great charge, so that your highness's realm of Ireland being now (as it were) divided into four parts, viz. Leinster, Munster, Conaught, and Ulster, will be in very great danger to be half lost, for Ulster

fter is the earl's already. And in Conaught there are divers who have been traitors not long since (and yet scarce good subjects) who watch but such an opportunity. And in Leinster there are many who now stir not, who will then arise in arms, namely, the Berns, the Tools, the Moore's, the Connors, and the Cavanaugh's, and many other as false traitors as those, who (if they once perceive troubles to increase in the north) will seek to molest and offend the English pale, as they have done in times past.

AND one special matter more is to be thought upon, where your majesty in all the wars of Shane O'Neale, had Terconnel faithful and ready to do your highness service, and to assist your soldiers, giving the traitor many overthrows (being then an utter enemy to all the Neals) now it's not so, for O'Donnel is married to the earl of Tyrone's daughter, and is thereby so linked to him, that no place of succour is left to your majesty's forces in all the north; for Sir John O'Dogherty (who was well affected to your majesty's service) is now in hold under O'Donnel, so as no aid is to be expected from him. This poor gentleman hath been hardly used on both sides; first, by Sir William Fitzwilliam, who imprisoned him, in hope to have had of him some Spanish gold; and now by O'Donnel, because he shall not in these troubles annoy him.

To write of all other particularities belonging to the north, would be over tedious. To conclude
therefore

therefore (with your majesty's pardon) there are but two ways, either to accept of their own offers of submission and contribution for defraying of the charge in this discourse, especially before mentioned, and so to place your majesty's garrisons in their countries, thereby to hold them in continual obedience to your highness's profit, or else to make royal war upon them, and so utterly to overthrow and root them up thro' all the whole north of that kingdom, and plant others in their room or places. I may in no wise omit humbly to acquaint your majesty what great hinderance unto your present service the stay of Sir Robert Gardiner his coming over is like to be, because that he can best true report to your highness of the state of Ireland, who (as he was specially chosen by your majesty to be a chief instrument for the good of that poor kingdom, where he ever did and doth minister such upright justice, as is void of bribery, affection, intreaty of friends, or fear of authority to over-rule him, thereby to do any thing unfit for a man of his place) can very hardly be spared from thence; yet, as the necessity of this time importeth, it were (under pardon) most meet he were sent for with all speed; for that (as he can) so he will without fear of any, inform your majesty truly how the state of that your kingdom now standeth, and shew good means how to stay this expected present fury that is like to happen, to the utter ruin and cutting off many of your majesty's subjects, and the exceeding
expence

expence of your highness's treasure. There will be (no doubt) many reasons alledged to your majesty to stay him there, but I humbly beseech your highness not to hearken to them, for the authors of these troubles are afraid of his coming hither. But his instant repair over, will more avail him than his stay there, although it's well known he doth (as far as his authority extendeth) afford the people justice, without begging it or buying it, which hath been too often bought and sold there. And your majesty may at your pleasure return him thither again when he hath done exceeding good service here: although I fear he will be loath (if either his own credit or friends may prevail) to go back thither any more, because he seeth he is not able to do your majesty such good service as he would and might if he were more strongly assisted; moreover good deserts there, procure scarce good opinion or friends here.

WHAT mean I to say thus much, when it is not to be amended? nay what pity it is that so gracious a prince as is your majesty cannot help it! For these many years past your poor subjects have been crying out for justice, and could never get it; besides it's grown to such gain by corruption, that unless your majesty vouchsafe to take it upon yourself, or make special choice of some of your honourable council here to look into it, it will not be holpen; for if it be referred (as it hath been) there will be such shuffling and so much time spent, to save the
the

the credit of some one, that thousands of your majesty's good subjects shall perish the while. And the rather because advice is chiefly required of him who is causer of all those troubles, and because your majesty may the better judge what good can follow by his directions, let him set down what service he did you when he had the whole authority in his own hand, whereby your highness may discern the rest. I know (and thereon dare pawn my life) he cannot prove any one honourable or profitable service he did your majesty therein at the time of his government.

OPINION is likewise required of some other counsellors now here, who can say as little of those northern parts, as he who was never there.

THIS being most true, let not (I humbly beseech your majesty) your poor realm of Ireland be trusting to the advice of such blind advisers: But vouchsafe your highness to be advised by those who know your service there, by their own experience and eye witnesses of that whereof they shall yield their opinion; and no one (of a counsellor) can do it better than Sir Robert Gardiner, because his circuit is northward, whereby he doth hear the griefs and discontentments of those people.

MOREOVER I most humbly beseech your majesty to be no longer abused by lip-labour, and paper and ink; which have, these many years gone for current payment instead of good service, and in show of discovering great and

weighty causes, when in truth they seldom tended to any such purpose ; but seeing your majesty doth pay them so well, it may please you to require better service at their hands, whom your highness doth there put in trust.

If I have in these my plain and simple discourses offended your majesty any way, I most humbly ask pardon for the same.

As the physician cannot cure the disease of his patient, until he both know and take away the cause thereof, so neither are the calamities of your majesty's kingdom of Ireland to be remedied, until your majesty be both rightly advertised of the same, and put in practice the redress of the great abuses there ; which can't be better done (in my simple skill) than by making an example of some one who have served your majesty corruptly in that place ; and the greater the personage is, the greater the justice, and the more your honour in making a precedent of such a one : for your inferior officers can punish small offenders, but it is in your majesty only to correct the mighty transgressors.

AND so may your majesty (if so you will vouchsafe) look down by degrees, and in time survey your highness's captains who serve you there, discerning, by a little observation, the good from the bad ; which is easily done, if every one be called to account, what service he hath done you ; what traitors he hath cut off, having full authority for it, or else how your highness's

highness's subjects have been defended by him and his soldiers. He who hath not performed one of these two, is unworthy to have commanded or have pay.

FURTHERMORE, when some experienced captains shall make offer of his best endeavours, let him (if it please your highness) be hearkened unto, and especially when it tendeth greatly to the advancement of your majesty's service without encrease of charge: and let them not (I beseech your highness) be put off so grossly as they have been, with saying it is too small a proportion of soldiers to perform so great a service. For that is not the cause (most dread sovereign) but this; if they should allow of those services when they are offered, it would discover, as many think, some of their great abuses, which your majesty may perceive, when you shall see great services done with 100 where 500 have been employed, and your highness's subjects no whit the better defended.

THERE is no well advised captain will make offer of service but he hopeth to perform or lose his life, and especially when he shall not gain thereby; for his soldiers must be paid, or else they will not serve; besides he must keep them, or else he cannot effect the service undertaken, so that his only hope of gain resteth in reputation, reward, and preferment from your majesty as he shall deserve; and not in polling and pilling the soldiers and your majesty's subjects.

THESE good services then being accepted, and the abuses reformed, there is no doubt but your majesty's kingdom of Ireland shall quickly flourish in true subjection and due obedience, to your majesty's honour and comfort, which I beseech the Almighty to grant and continue.

THE consideration (most gracious sovereign) of my own estate, who have engaged myself and my friends very far for means to live and do your majesty service, hath many times (in the penning of this discourse) sought to withhold me from discovering to your highness these causes of discontentments of your poor people in that kingdom, and the bad managing of your majesty's affairs there, with the means of quieting them, of advancing your majesty's service, and advantaging your revenues, assuring me that the doing of such an office would neither procure me any friends, nor pay any of my debts: besides it's against my profession (being a soldier) to be a penman, or so earnestly to seek for peace. Yet nevertheless when I considered what due honour may be done unto God, what true service to your highness, and what good to that poor common weal, it made me utterly neglect of my own fortune and respect of my private benefit, and emboldened me to discharge my duty to God and your majesty, and disclose my zeal for benefiting that poor realm. And if these my labours shall be rightly conceived of by your majesty, and your most honourable council, I shall

shall think my time happily spent, and enjoy as much as I desire.

AND thus, most humbly beseeching pardon for this my bold and rude discourse, and praying on my knees to Almighty God the director of all princes hearts, that it may please him to move your majesty's mind duly to consider of the premises, and pitifully to regard the present state of that your poor kingdom, and beseeching him to bless your highness with all honour, health, and princely happiness, long to reign over us, I most humbly conclude with this my petition.

I HUMBLY beseech your majesty, if it be your gracious pleasure, to accept the earl of Tyrone into your highness's protection, that he may safely come in unto your majesty, or to your lord deputy, and hither at your pleasure, that I may be the messenger; because at my coming over he reposed great trust in me to deliver unto your majesty, those things wherewith he found himself grieved, wherein I doubt not but to do your highness acceptable service, by reason of the poor credit I have with him. But if your majesty be minded to deal otherwise with him (because it hath been reported by those who are adversaries both to him and me, that I am a great friend unto him) to show what manner of love mine is towards him; there is none of them nor any other who shall do greater service than I will, if it please your majesty to command me,

and enable me fit for it; if not, my service and myself rest at your highness's commandment to be disposed as it shall please you, for whom as is my bounden duty I will daily pray, &c.

Your majesty's faithful

and obedient servant,

THO. LEE.

A C H R O

A
CHRONICLE

O F
Lord CHICHESTER'S Government
of IRELAND;

CONTAINING,
CERTAIN Chroniculary Discourses, for
the Years of our Lord, 1612, 13, 14, & 15.

Collected and Gathered
By WILLIAM FARMER, Chirurgeon.

The same night the King slept not, and he commanded to
bring the book of Records and the Chronicles; and they
were read before him. EST. 6. 1.

What shall be done with the man whom the King will honour?
EST. 6. 6.

ORIGINALS
OF
CHRONICLE

OF IRELAND;
Lord Chichester's Government

CONTAINING

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Est. 6. 6.

ARTHUR, lord Chichester, baron of Belfast, is lineally descended from Waleran de Chichester, a brother's son to Robert de Chichester, bishop of Exeter, in the time of king Stephen, about 477 years past, who gave for his coat of arms, *Chequay, Or, & Gules, a chief Varie*; whose family, during the revolutions of so ancient times (a thing to the judicious, both considerable and admirable) hath continued by a successive series of the issue male, without infamy or blemish, increased as well in honour, as with the arms, and fair possessions of 14 several gentlemen of name and blood. Long may it so continue and increase in all honourable virtues, 'till it shall come to a full period of happiness.

Honor sequitur fugientem.

To the right honourable Arthur, lord Chichester, baron of Belfast, lord deputy of the realm of Ireland.

My singular good lord,

TWO years are almost passed since I presented to your honourable view, a brief abstract of such discourses as I had collected out of many ancient histories, and chronicles of this kingdom, divided into four parts or books, the last thereof containing a supply of the history of Ireland, from *anno* 29 Eliz. (where Hollingshed and Hooker left off) until this present year 1615.

The

The whole work (such as it was) I intended to have dedicated unto your honourable lordship, if time, and my ability would have permitted: yet, lest the seed of your honourable bounty (which hath always afforded both comforts and sustenance to mine old age) might not seem to be sown upon a foil, altogether barren and unprofitable, I have drawn out such discourses and remarkable actions, as have happened within these four years last past; and those, if not wholly, yet chiefly concerning your lordship's honourable proceedings, as well in the civil, as martial government of this kingdom, which I consecrate unto your lordship, far from presuming to demonstrate matters better known to your honour, than I can, or shall be able, in any measure, to relate them; or from conceiting that the workmanship (being altogether unshapely) can afford any thing therein, worthy your lordship's liking, but compelled by the bonds of gratitude for your lordship's many undeserved favours, I have presumed to set my pen to this simple discourse, though it be with the breach of that judicious rule, which saith, *consultius est tacere quam inepte loqui*, humbly craving your honourable wisdom, and solid judgment, to pardon my boldness, excuse mine errors, and to vouchsafe the acceptance of this poor pamphlet from him, who hath nothing else but his prayers, and an aged impotent body to offer unto your lordship, both which I will duly offer unto God, for your lordship's everlasting honour and happiness.

C H R O-

CHRONICLES of IRELAND.

JAMES, king of IRELAND. A. D. 1612.

Anno Regni 10.

CHICHESTER, lord deputy.

THE worthy knight, Sir Arthur Chichester, this year was created lord Chichester, and baron of Belfast.

IN this year, the king's most excellent majesty determined to have a high court of parliament, to be holden at Dublin, in his majesty's realm of Ireland, which should begin upon the 18th day of May, in *anno* 1613, and the 11th year of his majesty's reign over England, France, and Ireland, and of Scotland the 47th. Now when the right honourable the lord Chichester, then his majesty's deputy general in the kingdom of Ireland, had received letters of advertisement, what was the king's pleasure herein to be done, he presently sent forth several warrants of summons throughout all the whole kingdom, first to the lords spiritual and temporal, to be in readiness at Dublin, upon that day prefixed, with their robes of parliament, and all other things necessarily appertaining, to attend his majesty's service, during the parliament time. Likewise, summons were sent to all sheriffs of counties, to mayors, sovereigns, portrieves, and all other chief officers of cities, and corporate towns,

towns, to attend at the same parliament, to be knights of the shires, and burgessees of cities and towns. But in their elections of knights and burgessees, there grew great contention and strife in sundry places of the kingdom, by reason that the greatest number of the people, as well noble as ignoble, were so inclined to Romanism and recusancy, that they would not give their voices to the chusing of any man, except they knew him to be an open recusant; by means whereof, many hollow-hearted people were produced for knights of the shire, and burgessees of parliament.

BUT, amongst all others, many of the citizens of Dublin, who were always accounted the patrons of loyalty to all the subjects of Ireland, and parragons of obedience to the kings of England, were now found to be possessed with other spirits. For when a warrant was directed to Sir James Carrol, knight, then mayor of the city of Dublin, and to the sheriffs, to chuse burgessees for the city, the mayor having some lands without in the county at Kilmainham, choosing the knights of the parliament for the out shire, in whose absence the two sheriffs, with certain of the aldermen and citizens, went to the Tholsel house, and there not staying for the return of the mayor, they chose two aldermen for burgessees of the parliament-house, *viz.* Francis *

* Vide librum cui titulus est, *Idea Constantiæ Togatæ, sive Francisci Taillieri Dubliniensis prætoris in persecutione congressus, et religionis catholicæ defensione interitus.* 12mo Parisiis 1629.

Taylor alderman, and Thomas Allen alderman. But this election was judged to be done by an indirect course, and therefore, the mayor intended the next morning to make another election in his own presence, wherein the voices of the citizens and town-dwellers, as well English as Irish should be allowed : so there assembled to the Tholsel the next morning all the whole city, as well English as Irish. But those of the recusant faction would not suffer any Englishman, or any other to speak, but such as they knew to be recusants ; whereupon was raised in the Tholsel a great tumult and mutiny, and the people recusants being the greatest number, quickly thrust all the Englishmen with violence out of the door. And there was one Nicholas Stephens, a merchant of the city, that would have rung the alarum with the Tholsel bell, if he could have found the key : and others offered to lay hands upon the king's sword, that was before the mayor ; but the mayor in this hurly-burly took the sword in his own hand, and went unto the lord deputy to complain : and so there was no other election made that day. Now the lord deputy gave a most heavy check to the two sheriffs of the city, for chusing the burgeses before the mayor came home ; also he committed the said Nicholas Stephens to the castle of Dublin. And the mayor called all the citizens forth to Hoggen-green, there to make a new election of burgeses ; but the recusant citizens ceased not still to uphold and maintain their former election

election of alderman Taylor and alderman Allen : nevertheless, the mayor, with others of the aldermen, his brethren, and a great number of other good citizens, and loyal subjects, chose there, Richard Bolton, esq; one which was then recorder of the city, for one of the burgeses, and Richard Barry, an alderman of the city, for another ; who were presented to the lord deputy, and were very well accepted.

LIKEWISE, hurly-burlies, and other unnecessary stirs, were moved in sundry places of the kingdom, about the like causes ; but, chiefly, certain noblemen of the kingdom were greatly discontented with the proceedings of the parliament, as it appeareth by their letter directed to his majesty, the true copy whereof doth immediately follow :

A letter directed to his majesty, from six lords of the pale.

MOST renowned and dread sovereign, the respective care of your highnesses honour, with the obligation of our bounden duty, requireth from us, doth not permit, that we, the nobility of this part of your majesty's kingdom of Ireland, commonly called the English Pale, should suppress and be silent in ought, which in the least measure might import the honour of your majesty's most royal person, the reputation of your happy government, of the good and quiet of your estates and countries ; and therefore, are humbly bold to address these our submissive

missive lines to your majesty, and so much the rather, 'till that of late years it hath been a duty specially required of the nobility of this kingdom, to advertise their princes, your majesty's most noble progenitors, of all matters tending to the service, and to the utility of this kingdom. Your majesty's pleasure for calling a parliament in this kingdom, hath been lately divulged, but the matters therein to be propounded, not made known to us, and to others of the nobility ; we being, notwithstanding, of the grand council of the realm, and may well be conceived to be the council meant by the statute made in king Henry the 7th's time, who should join with the governor of this kingdom, in certifying thither, what acts should pass here in parliament ; especially, it being hard to exclude those, that in respect of their estates and residence next your majesty, should most likely understand what were fittest to be enacted and ordained for the good of their prince and country ; yet, are we, for our part, well persuaded they will be such as will consort with the good and relief of your majesty's subjects, and give hopeful expectation of restoration of this lately torn and rented estate ; if your majesty have been rightly informed, they having, as is said, passed the censure of your highness's most rare and matchless judgment ; but the externe and publick course held (whereas men of all sorts and qualities do take notice) for the managing thereof, hath generally bred so grievous an apprehension, as is not in
our

our power to expresse, arising from a fearful suspicion, that the project of erecting so many corporations in places that constantly pass the rank of the poor villages in the poorest country of Christendom, do tend to nought else at this time, but that by the voices of a few selected for that purpose, under the name of burgessees, extreme penal laws should be imposed upon your subjects, contrary to the natures, customs, and dispositions of them all in effect, and so the general scope and institution of parliament frustrated; they being ordained for the assurance of the subjects, not to be pressed with any new edicts or laws, but such as should pass with their general consents and approbations. Your majesty's subjects here, in general, do likewise very much distaste and exclaim against the deposing of so many magistrates in the cities and boroughs of this kingdom, for not swearing the oath of supremacy in spiritual and ecclesiastical causes, they protesting a firm profession of loyalty, and an acknowledgment of all kingly jurisdiction and authority in your highness; which course, for that it was so sparingly and mildly carried in the time of your late sister, of famous memory, queen Elizabeth, and but now in your highness's most happy reign, first extended to the remote parts of this country, doth so much the more affright and disquiet the minds of your well-affected subjects, here especially, they conceiving, that by this means, those that are most sufficient and fit to exercise and execute those
places

places and offices, are secluded and removed, and they driven to make choice of others conformable in that point, but otherwise very unfit and incapable to undertake that charge, being generally of the meaner sort. Now whether it conduceth to the good of your estate, hereby to suffer the secret, home, evil-affected subjects (of whom we wish there were none) to be transported with hope and expectation of the effects, which a general discontent might in time produce, and to give scope to the rebels, and discontented of this nation abroad, to calumniate and cast an aspersion upon the honour and integrity of your highness's government, by displaying in all countries, kingdoms and states, and inculcating into all the ears of foreign kings and princes the foulness (as they will deny it) of such practices, we humbly leave to your majesty's most sacred, high, and princely consideration; and so upon the knees of our loyal hearts, do humbly pray, that your highness will be graciously pleased, not to give way to courses in the general opinion of your subjects here so hard and exorbitant, as to erect towns and corporations of places, consisting of some few poor and beggarly cottages, but that your highness will give directions that there be no more erected, 'till timely traffick and commerce do make places in the remote and unsettled country here, fit to be incorporated, and that your majesty will benignly content yourself with the service of understanding men, to come as knights of the shires out

of the chief countries, to the parliament : and to the end, to remove from your subjects here, those fears and discontentments; that your highness, further will be graciously pleased to give order, that the proceeding to this parliament may be with the same moderation and indifference, as your most royal predecessors have used in like cases heretofore. Wherein, moreover, if your highness shall be pleased out of your gracious clemency, to withdraw such laws as may tend to the forcing of your subjects consciences, in matters concerning religion, you may settle their minds in a most firm and faithful subjection; the honour, which your majesty, in all your actions and proceedings, hath hitherto so well maintained; the renown of your highness's transcendent understanding in matters of estates and government, and in particular, the exemplary precedent of your majesty's never to be forgotten moderation, in descending to such extraordinary courses, for effecting an union of both kingdoms, so much desired, doth give full hope and assurance, that your highness will duly weigh, and take in good worth these considerations by us laid down; and most graciously grant this our humble and submissive suit, in which hope we do, and will always remain,

Dublin, 25

Nov. 1612.

Your majesty's most loyal,
and most dutiful subjects,

Gormanston.

Chris. Slane.

Robt. Trimbleston. Matt. Louth.

Patrick Dunsany.

A letter

A letter from the same lords, to the lords of his majesty's privy council in England.

OUR very good lords, we have addressed our humble and submissive letters to the king's most excellent majesty, thereby, in discharge of our bounden duties, to acquaint his highness with some things we understand concerning the parliament shortly intended to be called here, which we make no doubt his highness will impart unto your honours upon the receipt, as to those upon whose judgment he doth most worthily build his designs. We have omitted, therefore, to particularize the same things to your lordships, humbly praying, that if ought not fitting so great a monarch have escaped us his poor and humble subjects, your lordships will be pleased to excuse therein our over boldness, and to be a mean that his highness may conceive the same to proceed out from our plain, open, and loyal hearts; and thus relying on your honourable favours herein, we humbly take leave, and rest

Dublin, 25 Your honours,
Nov. 1612. to be commanded,

Gormanston. Christ. Slane.
Robt. Trimbleston. Par. Dunfany.
Matthew Louth.

THIS was the first letter that was sent to his majesty by the lords of Ireland, concerning the proceedings of the parliament. But there have been also fundry secret practices and conferences between some men of note in Ireland, and some in England, it will more plainly appear by certain parts of parcels of letters, which have been collected out of their letters, and are here set down in order, as followeth :

Part of a letter from Sir Patrick Barnwall, to Mr. Christopher Darcy, dated 16 July 1612.

I HEAR in this next parliament, there is a purpose to withhold some courses, that which will overthrow the states of most men in the kingdom, if they take effect, to which, if I shall be of that society, it is like, among the rest, I will give the best opposition I may, which like enough, in my private, will debar me from the expectation of any good from thence.

Part of another letter from Sir Patrick Barnwall, to Mr. Christopher Darcy, dated 25 Sept. 1612.

NOW I must bemoan the general state of this poor kingdom, which by a course now set on foot, will be brought into a perpetual thraldom. Here are to be erected 30 corporations, against this parliament, intended to be held about the end of February, from every of which are to come two burgeses, whereby all matters will be carried as they please ; so as I see not why any man should be desirous to get land, or
any

any thing else, in this miserable country. If you think there be any possibility to work there the stay of this course, I pray you advertise me with all speed ; for this is meant to overlay us poor men in parliament, and to conclude upon what law they please.

Part of another letter from the same, to the same, dated 19 Feb. 1612.

YOU shall now understand, that some of the nobility here, have address'd their letters to his majesty, that his highness would be pleas'd to have some commiseration of this poor and distressed state ; and to the charges of him, who should have deliver'd these letters, some few did contribute 40*l.* ster*l.* I was of opinion, that you only should have been intrusted, for the effecting this business ; and that my nephew Plunket, who was nominated by some in respect of his private ; and that I had heard that he had drawn upon him the dislike and hatred of monsieur Dobignye, for that matter my nephew hath with his brother in law, was unfit to intermeddle in this ; but in the end, I being in Connaught, it was agreed, that the cause should be committed to you both ; and therefore, if you have not received 20*l.* let me hear instantly from you, and how that matter is carried in particular.

Part of a letter from Sir Christ. Plunket, to his son James Plunket, London ; or in his absence to Christopher Darcy, dated 28 Feb. 1612.

I WROTE to you to keep your vote of instructions very secret, yea, to burn it, and make some little particulars of the contents thereof ; which, if you have not done, fail not upon sight hereof to do it.

By these letters, and parts of letters, it may easily appear what plodding and plotting those of the recusant faction in Ireland daily practised, long before the parliament began, to the intent to make some stay of the parliament, or at least to put over the time with delays, in hope to draw the proceedings thereof, more nearer unto their own humourous affection. But the peremptory day of the parliament drawing near at hand, all the nobility of the kingdom, the lords spiritual and temporal, the knights and burgeses out of all quarters, repaired to the city of Dublin, there to give their attendance as appertained.

AND upon the 18th day of May, being Tuesday, the lord deputy, with all the peers of the realm, and the noblemen, the clergy, both bishops and archbishops, attired in scarlet robes very sumptuously, with sound of trumpets ; the lord David Barry, viscount Buttevant, bearing the sword of estate ; the earl of Thomond, bearing the cap of maintenance ; and after all these, the lord deputy followed, riding upon a
most

most stately horſe, very richly trapped, himſelf attired in a very rich and ſtately robe of purple velvet, which the king's majeſty had ſent him, having his train borne up by eight gentlemen of worth: and thus, in moſt ſtately and ſumptuous manner, they rode from the caſtle of Dublin, to the cathedral church of St. Patrick, to hear divine ſervice, and a ſermon preached by the reverend father in God, Chriſtopher Hampton, D. D. archbiſhop of Armagh, and primate of all Ireland.

BUT as many of the nobility of Ireland, as were of the reſuſant faction, went not into the church, neither heard divine ſervice or ſermon, notwithstanding that they were lords of the parliament houſe, and rode towards the church with other lords of eſtate, yet they ſtayed without during the time of ſervice and ſermon. Now when ſervice was done, the lord deputy returned back to the caſtle, thoſe reſuſant lords joined themſelves again with the reſt of the eſtate, and rode to the caſtle in manner as before they came from thence.

Now the lord deputy, with all this honourable aſſembly, being entered into the caſtle, aſcended up into the high houſe of parliament, where he ſat down in his chair of eſtate; likewise, the lord chancellor ſat down according to his eſtate; alſo the nobility of the kingdom, the lords ſpiritual and temporal, every one ſat down accordingly.

AND when the whole high court of parliament was ſet, the lord chancellor made a grave

and worthy speech, concerning many great and worthy causes of estate, there to be debated upon, for the good of the kingdom, and for the commonwealth thereof; and among many other things, his lordship declared the king's majesty's pleasure, concerning Sir John Davis, his majesty's attorney-general in Ireland; and how his highness was pleased, that he should be the speaker of the lower parliament house, and for that purpose, his majesty had by his gracious letters, recommended the said Sir John Davis unto the lord deputy, and the whole state of the parliament house, willing them to accept of him for that purpose.

AFTER this oration ended, and other matters debated upon, as fitly appertained to the first days action of the parliament, the lord deputy rose up, and made an end for that day, being the 18th of May 1613.

THE next day, being the 19th of May, and the 2d of the parliament, the said Sir John Davis was brought into the parliament house, to be presented, and to take his place according to his majesty's good meaning, and was well allowed of and accepted of all men, except those which were infected with the opinions of recusancy, whereof were some there of all degrees, which took exceptions against Sir John Davis; and thereupon arose a great tumult, because there were two elections, viz. those of the recusants sect, had chosen Sir John Everard knight, for the speaker, and therefore, would in no wise
accept

accept of Sir John Davis, and in this division grew an uncertainty who had most voices ; whereupon Sir John Davis, with all those of the protestancy, went out to be numbered, and before they came in again those of the recusancy had shut the door, and had set Sir John Everard in the chair of the speaker ; but when the protestants saw that, they quietly pulled Sir John Everard out of the chair, and held Sir John Davis therein ; and thus, with great contention, the 2d and 3d days were spent : but the recusants prevailed not, for Sir John Davis was maintained in the place, according to his highness's good meaning. Then did the recusants of both houses of parliament withdraw themselves, and resorted not thither any more, notwithstanding that they were often sent for by the lord deputy. And now they began to invent new projects, whereupon they had fundry secret meetings among themselves ; and now they devised to write again other letters to his highness, as it shall appear hereafter following in their due places.

UPON the 21st day of May, being Friday, the lord deputy, with the lord chancellor, the lords archbishops, and all other bishops, and as many of the nobility as could be gotten together ; with the knights of the shires, and the burgessees of the cities and towns, entered into the parliament house ; and when they now sat down, Sir John Davis knight, being his majesty's attorney-general in this kingdom, was presented before the lord

lord deputy, for the speaker of the lower house, who made before them all this oration here following :

MOST honourable lord, and right-worthy deputy, of our most invincible, renowned, and gracious sovereign, I am here presented unto your lordship by these worthy knights and burgeses, representing the state of the commons in this kingdom, to be their speaker in this high court of parliament. To this place of speaker they have elected me orderly and duly, according to your lordship's direction, and according to the ancient privileges and orders of that house ; which election, being not only voluntary, but a judicial act of theirs, I may not presume to say it is erroneous, I will not assign any error in their judgment, for the reverence I bear to the authority, and infallible wisdom of that council ; howbeit, by way of exception to my own weakness and disability, I have appealed from that election, to your lordship's wisdom and judgment, which appeal, as it is lawful, so is it most proper in this case ; for that neither the election, nor presentation, can take any further effect, without your lordship's approbation and assent, which is indeed the royal assent itself.

THAT the commons assembled in parliament should have one common speaker for them all, is doubtless a matter not only of custom and conveniency, but also of necessity for the management and dispatch of publick business. For the tower of Babel may be an example unto all assemblies,

asssemblies, that where there is a confusion of tongues, great works can never go well forward : but this speaker, as he must speak for all, being first, is elected out of all, and elected by all, or the greater part, so should he be the best able of all, to discharge this place of service. For he that must be the tongue and voice of so many eloquent men ; he that must deliver the knowledge of so many learned men ; he that must pronounce the judgment of so many grave and wise men, had need have the quintessence or spirit of all their gifts and perfections, to qualify him, and to make him sufficient for this employment. For it is not enough for him to be meanly enabled, to be tolerable and reasonable well, but he had need to be passing well furnished, he had need to be accomplished soundly well with all gifts and perfections, with all abilities and ornaments that are required in an excellent speaker ; he had need have a quick concept and apprehension, a large and faithful memory, a deep and sound judgment, and a long practice and experience in all the affairs of the common-wealth ; and with all, and above all, he ought to have a singular facility and eloquency of speech, whereby he may be able upon all occasions to speak readily, roundly, plentifully, properly, orderly, judicially, and wisely, of all matters of state, matters of law, matters of the church, matters of the crown, the causes and cases of particular men, and the general state of the commonwealth : in a word, whereas every
other

other profession hath a particular science sufficient to enable the professor thereof, it is the profession of a perfect speaker to be skilful in every man's profession ; for there is no state or condition of men, no action or accidents, but may happen to be a subject for him to speak of, so as it is not sufficient for a speaker to have a volubility of tongue only, or a current or stream of words, but he should have a fountain of knowledge in him, out of which his speech should spring, result, and flow plentifully ; he should have withal, a clear understanding of things, to make his speech lively, quick, and significant : for it is the clearness of a man's conceipt that doth give life and spirit unto his words. I omit to speak of the continual use and practice that he ought to have both of his tongue and stile, the singular care and diligence that he ought to have to be thoroughly instructed in the cause that he undertakes to speak unto, the clearness and sweetness of his voice, and comeliness of his gesture, the assuredness of his countenance, and the life and spirit of his pronunciation.

THESE, and many other like gifts and abilities, are needful and requisite in a perfect speaker, and such a one I doubt not your lordship doth expect ; you look for such a one to be presented a speaker at this time unto you. But am I the man then ? Am I he that shall answer your lordship's expectation in this ? no, my noble lord, by no means ; for my own abilities are so mean, and my imperfections are so many,
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as I begin to sink already under the burthen, before it be fully imposed on my shoulders; otherwise I protest, unfeignedly, that if I could speak with the tongues of men and angels, that is, if I had all the best abilities of speech in the world, I would most gladly employ them all, and think all too little for the service of that house.

BESIDES, I do so much esteem the authority and judgment of those that have elected me, as, if I did not know perfectly, and feel mine own imperfections, I could easily persuade myself, that their good opinion were sufficient to enable me, and make me capable of this employment.

BUT I am so well acquainted with myself, and do know well, *quid valeant humeri, quid ferre recusant*, and this knowledge doth make me so sensible of mine own weakness and disability, as either their opinions, which in all other matters must be an oracle to me, my self-love itself, which doth flatter every natural man more or less, and doth raise his imaginations, when there is any colour of worthiness in him, can possibly make me think myself able to discharge this place with any sufficiency; and therefore, under your lordship's favour, I am as far from taking this charge upon me, as I am from ability in discharging it; and I am so far from answering your lordship's expectation, as I fear this rude and imperfect speech doth move you already in your inward conceipt, to condemn the judgment of these gentlemen, in presenting an infant instead of a speaker.

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AND yet I have now spoken in such an argument, as I am best able to handle of any other, I mean the disabling of myself; for therein, I cannot chuse but speak sensibly, having so perfect a sense and feeling of my own disability.

THEREFORE, my humble suit unto your lordship is, that either in your judgment, your lordship will pronounce a nullity in this election, or in your fulness of power dispence with mine attendance in this place; and thereupon, that your lordship will be pleased to require these worthy knights and burgeses once again to proceed to a new election of a more able and worthy speaker, which they may easily and speedily do; for that there was never so plentiful choice of grave, learned, and sufficient gentlemen of the commons assembled, in any parliament, since the first institution of parliaments in this kingdom.

THIS speech being ended, whereunto the lord deputy, and all that were present, had given authentick hearing, for the great eloquence and variety of rhetorical phrases, which he there uttered, still disabling himself as one unworthy and far unfit to be chosen speaker, for the managing of so great and weighty affairs, as there were to be handled in behalf of his majesty.

ALL this, notwithstanding, the lord deputy gave good allowance to his election, and with such grave and weighty arguments, together with his powerful authority, approved his worthiness and fitness to be employed, so that of necessity

necessity the said Sir John Davis must needs proceed as speaker for the lower house of parliament, according to the former election : and this approbation being made, he presently proceeded with his second speech, as it here immediately doth follow.

M O S T honourable, and right noble lord, since your high wisdom, unto which I humbly made my appeal, hath not thought it fit to repeal, but rather to ratify and confirm the judgment of these worthy knights and burgessees in electing me (yet still unworthy in mine own opinion) to be their speaker, which your lordship, I doubt not, hath been pleased to do, not in regard of any worthiness appearing in me, but for the honourable respect you worthily bear to the grave and wise assembly that made the election, I do humbly and absolutely submit myself to your lordship's pleasure : and since these gentlemen have first conferred on me, and now your lordship hath confirmed the name and office of a speaker, I will presume, with your lordship's grace and favour, to speak some things in this great and entire assembly of all the states of this kingdom, that shall be proper and agreeable to the circumstances of the time, of the place, and of the persons that are assembled.

1. It is a saying and rule of the wisest king that ever lived, *Ubi multa concilia, ibi salus populi* ; and it is the direction of the wisest king that now liveth, that a common council should be

be holden at this time, and at this place, for the common good of the kingdom of England.

2. SUCH common councils, or assemblies of states, are usual in all states and commonwealths, in one form or other, and in divers countries are called by divers names ; but under the English monarchy and the French, which are two of the best temporal monarchies in the world, they are called parliaments.

3. THESE parliaments, though they consist of three different states, the king, the nobility, and commons, yet, as in musick, distinct and severall notes do make a perfect harmony, so these councils, compounded of divers states and degrees, being well ordered and tuned, do make a perfect concord in a commonwealth.

Namque harmonia natura musicæ in cantu ea est in cum tali concordia, saith Cicero. And this concord or harmony of hearts, doth ever produce the safety and security of the people, which is the *salus populi* that Solomon speaketh of.

4. WHEREFORE there cannot be a more certain demonstration than this, that these two kingdoms, which have been ruled by those parliaments, are now the most ancient imperial monarchies of Christendom, and are withal two of the most flourishing commonwealths that are to be found upon the face of the earth.

5. BUT doth this concern this kingdom of Ireland, or what application hath it to the place and persons present ? Assuredly, when I speak
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of the monarchy of England, I include the kingdom of Ireland within the circle of that imperial crown. For the kings of England no sooner were lords of Ireland, but that they made a real union of both these kingdoms, as is manifest by many ancient records of the time of king Henry 3. so as Ireland became but as a member, *quasi membrum Anglicæ*, as it is resolved by all the justices in 13 Henry 7. It became a member appendant and belonging, as the act of faculties, 28 Henry 8, calleth it, united and annexed to the imperial crown of the realm of England, as the statutes of 33 Henry 8. which gave to that prince the title of King of Ireland, doth term it : and now at this day, God be blessed, the subjects of both realms have but one king, which is the renowned king of England, and are ruled and governed by one common law, which is the just and honourable common law of Ireland. And as there is none but one common law, so for the space of 140 years after king Henry 2. had taken possession of the lordship of Ireland, there was but one parliament for both kingdoms, which was the parliament of England ; for Ireland had none during all that time, but the laws made in the parliament of England were from time to time transmitted hither under the great seal of that kingdom, to be proclaimed, inrolled, and exercised as laws of this realm. In this manner was the great charter of the ancient liberties of the English subjects, the statutes of Merton and Marlborough,

borough, sent over by king John and king Hen. 3. the statutes of Westminster the 1st, 2d, and 3d. and the statutes of Gloucester, by king Edw. 1. the statutes of Lincoln and York by king Ed. 2. Among the rest, that of Westminster the 2d, and that of York, in their several preambles do make express mention of the people and land of Ireland, as well as of England, where the laws were made; all which statutes together, with the warrants and writs whereby they were transmitted, we find inrolled and preserved to this day among the records of this kingdom.

6. BUT when then, how long since, in what king's reign, was that great common council, this high court of parliament erected first and established in Ireland?

7. DOUBTLESS, though the rest of the ordinary courts of justice began with the first plantation of the English colonies here, yet the wisdom of the state of England thought it fit to reserve the power of making laws to the parliament of England for many years after: so as this high extraordinary court was not established in Ireland, by authority out of England, in the form that it now is, 'till towards the declining of the reign of Edward 2. For, before that time, the meetings and consultations of the great lords, with some of the commons, for appeasing of dissensions among themselves, though they be called parliaments in the ancient annals, yet being without orderly summons, or formal proceedings, are rather to be called parleys, than parliaments.

8. BUT

8. BUT by what reason of state was the state of England moved to establish this court of parliament in Ireland at that time ?

9. ASSUREDLY this common council was then instituted when Ireland stood most in need of council ; for under the conduct of Edward le Bruce, the Scottish nation had overcome the whole realm. England had the same enemy at her back, and the barons rebellion in her bowels ; and so being distracted in herself, could neither give Concilium nor Auxilium to the distressed subjects here ; so as they being left to their own strength and council, did then obtain authority from the state of England to hold this common council of the realm among themselves, for the quenching of that common fire, that had almost consumed the whole kingdom.

10. AND this, by the testimony of the best antiquaries, was the first occasion of instituting this high court of parliament in Ireland.

11. BUT now why should I not, with your lordship's favour, proceed further, and take a brief view of the principal parliaments that have been holden in Ireland since that time, and therein note and observe what were the motives from time to time of calling those common councils, and what and how many the persons were that were wont to be called thereunto ; that it may appear, by way of comparison, how far this place is like to excel all former parliaments holden in this kingdom, not only in the felicity of the time, but in all other circumstances whatsoever.

12. CERTAIN it is, that the incursions of the Scots, and the insurrection of the Irish concurring with it, and the intolerable oppression and extortion of the great lords of the realm, under colour of maintaining that army, that should repel the one, and repress the other, brought such misery and destruction upon this land about the latter end of Edward the 2d's reign, that the English colonies of the province without the English pale, fell for the most part into such corruption of manners, as it became a greater labour to reform them by law, than to conquer their enemies by the sword. Therefore, in the reign of king Edward 3. Sir Anthony Lacy did summon and hold one parliament in his time, and Sir Ralph Uffort another in his time; and the principal cause of holding both these parliaments was to repress the insolency, and to reform the abuses of the great lords descended of English race, of whom the earl of Desmond was the most exorbitant offender. And after that, during the same king's reign, Sir Thomas Rookerby, at one time, and Lionel duke of Clarence at another time, held several parliaments at Kilkenny, which tended to no other end but to reduce the degenerate English in general from the barbarous customs of the Irish to their ancient civil manners, and the obedience of their true mother the states of England.

13. AFTER this we find the same course still to continue of calling standing parliaments in this realm, until the wars of Lancaster and York began,

began, which made a great alteration in both kingdoms. For if we look into the parliament rolls of those times which are mean between the 40th year of king Edward 3, and the 30th year of king Henry 6, we shall first find the statutes of Kilkenny confirmed in every parliament, and then the laws of principal consideration are against coyne and livery, cesses of soldiers, night-suppers, comricks, and like extorting and lewd customs, which the English had learned among the Irish.

14. So as for the space of 140 years after the first erecting this high court of parliament in Ireland, it is apparent, that never any parliament was called to reduce the Irishry to obedience, or to perfect the conquest of the whole kingdom of Ireland, but only to reform the English colonies, that were become degenerate, and to retain the sovereignty of the crown of England over them only, and to no other end or purpose. But when the civil war in England began, and between the two houses was thoroughly kindled, that fiery constellation made such an impression upon this realm also, as the nobility following the several factions of the English, fell into the like dissensions here, which gave the Irish opportunity to conquer the greatest part of the English colonies, who thereupon fell into such a relapse or barbarism, as the fruits of the former parliaments were utterly lost, and no part of the realm but those shires of the pale left under the obedience of the laws of England.

15. BUT what did the governors of this kingdom then, when the jurisdiction of the law was drawn into so narrow a compass? Did they not summon any more parliaments? Or did they omit to call the common council of the realm; for that the greatest part of the realm had rejected the king's laws and government? Assuredly, they were so far from that neglect or omission, as parliaments were never so often called, none so thick upon one another, as in the times of king Henry 6. and king Edward 4. For scarce there passed a year without a parliament, and sometimes two or three parliaments were summoned and held within the compass of a year; which was such a trouble and charge to the subjects, as a special law was made, that there should be but one parliament held in a year.

16. BUT to what end did they call so many parliaments? What matters did they handle in those common councils? Did they consult about the recovery of the provinces that were lost, or about the dissolving of all the Irishry? We find no such matters at all propounded; but we find in the parliament in the rolls of that time an extraordinary number of private bills and petitions, answers, and orders in parliaments, containing such mean and ordinary matters, that but for want of other business, were not fit to be handled in so high a court.

17. AND such were the motives of calling the parliaments in this kingdom, and the matters there debated, during the wars of York and Lancaster,

Lancaster, and after that likewise until the 10th year of king Henry 7. In that year, which was the 10th year after the uniting the Roses, as now it is full ten years since the uniting of the kingdoms under one imperial crown (a happy paradise time we hope for the holding of a parliament in this kingdom) In that year did Sir Edward Poynings summon and hold this famous parliament, wherein doubtless he shewed a large heart, and a great desire of a general reformation; and to that end procured many general laws to pass, which we find most profitable and necessary for the commonweal at this day: among the rest, he caused two laws to be made, which may rightly be called, *Leges Legum*, being excellent laws concerning the laws themselves; whereof one did look backward to the time past, and gave a great supply to the defects of former parliaments, by confirming and establishing at once in this realm all the statutes formerly made in England: the other looked forward to the time to come, by providing, that from thenceforth that there should no parliament be holden until the acts that should be propounded were first certified into England, and approved by the king and council there, and then returned hither under the great seal of that realm. This latter act is that which we call *Poynings' Act*, and is, indeed, that act of parliament, which is a rule for our parliaments until this day.

18. B U T these acts passed by Sir Edward Poynings, though they were made and meant

for the general good, and gave indeed the first overture for the general reformation that hath followed since that time, yet could they not produce so great a good as was intended by those laws; because that more than three parts of four of this kingdom at least were then and long after possessed by the Irish and unreformed English, which were not answerable to the laws. As for the principal parliaments, that have been holden since that time, during the reigns of king Hen. 8. queen Mary, and queen Elizabeth (for king Edward 6. did not call a parliament in Ireland) they were all summoned upon special and particular occasions, and not for the settlement of the whole kingdom.

19. FOR to what end was that parliament holden by the lord Leonard Gray in the 22d of Henry 8. but to attain the Geraldines, and to abolish the usurped power of the pope? Wherefore did Sir Anthony St. Leger call the next parliament after in 33 Henry 8. but to invest that prince with the title of king of Ireland, and suppress the abbies and religious houses? To what purpose did the earl of Suffex hold his first parliament in 3d and 4th of Philip and Mary, but to settle Leix and Offaly in the crown; and his second in the 2d year of queen Elizabeth, but to re-establish the reformed religion in this kingdom? What was the principal cause that Sir Henry Sidney held a parliament in the 11th year of queen Elizabeth, but to extinguish the name of O Neal, and to entitle the crown

crown to the greatest part of Ulster? And, lastly, what was the chief motive of the last parliament holden by Sir John Perrot, but the attainder of two great peers of this kingdom, the viscount Baltinglass and the earl of Desmond, and the vesting of their lands, and the lands of their adherents, in the actual possession of the crown.

20. AND now having made a summary collection of the principal causes of summoning the former parliaments, which from time to time have been holden, since the first institution of this high court in Ireland, I must not forget to note also unto your lordship, what and how many persons were called in former times to make up the body of this council. For the persons before the 33d of king Henry 8. we do not find any to have had place in the parliament but the English of blood, or the English of birth only. For the meer Irish in those days were never admitted, as well because their countries lying out of the limits of counties, could have no knights, and having neither cities nor boroughs in them, could send no burgeses to the parliament. Besides, the state did not as then hold them fit to be trusted with the council of the kingdom.

21. FOR the number, since the 34th year of king Henry 8. when Meath was divided into two shires, there were no more than twelve counties in Ireland besides the liberty of Tipperary, the number of knights must needs have been
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been but few : and since the ancient cities were but few, and the boroughs which sent burgeses not above thirty, the entire body of the whole house of the commons could not then consist of one hundred persons. And although queen Mary did add two shires, and queen Elizabeth seventeen more to encrease the number of knights in that house, yet all did not send knights to the last parliament, for the remote shires of Ulster returned none at all.

22. F O R the lords temporal, though they are yet but few, yet was their number less, before king Henry 8. was stiled king of Ireland. For since that time divers of the Irish nobility, and some descended of English race, have been created both earls and barons.

23. A N D lastly, for the bishops and archbishops, though their number was greater than now it is, in respect of the divers unions made of latter years, yet such as were resident in the meer Irish countries, and did not acknowledge the king to be their patron, were never summoned to any parliament.

24. A N D now, by way of comparison, it may easily appear unto your lordship, how much this first parliament, now begun under the blessed government of our most gracious king James, is like to excel all other parliaments, as well in respect of the cause and time of calling it, as of the persons that are called unto it.

25. F O R, this parliament, God be blessed, is not called to repel an invasion, or to repress

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a rebellion, or to reduce degenerate persons to their obedience ; it is not summoned to pass private bills only, or to serve private turns, or for one special share for the crown, though such have been the occasion and causes of calling the most part of the former parliaments.

26. B U T now, since God hath blessed the whole island with an universal peace and obedience, together with plenty, civility, and other felicities, more than ever it enjoyed in any former age, this general council of the whole realm is now called principally to confirm and establish those blessings unto us, and to make them perpetual to our posterity.

27. A G A I N, this parliament is not called in such a broken and miserable time, that we need complain in our bills and petitions of the miseries and calamities of this kingdom, whereas the rolls of former parliaments are full of such complaints; but it is called, as it were in the year of jubilee, or upon the sabbath-day of this land, being now at rest after her travails, which lasted 400 years together.

28. I T is called in the time of great security, and in the most joyful and happy time that ever shone upon the inhabitants of this kingdom.

29. A G A I N, it is not called in such a time, as when the four shires of the pale only did send their barons, knights, and burgesses of the parliament, when they alone took upon them to make laws to bind the whole kingdom, neglecting to call the subjects residing in other parts of the
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the realm unto them, as appeareth by that parliament holden by the viscount Gormanston, which Sir Edward Poynings in the 10th year of king Henry 7. caused to be utterly repealed, and the acts thereof made void, chiefly for that the summons of parliament went forth to the four shires of the pale only, and not to all the rest of the country.

30. B U T it is called in such a time, when this great and mighty kingdom being wholly reduced to shire ground containeth thirty-three counties at large, when all Ulster and Conaught, as well as Leinster and Munster, have voices in parliament by their knights and burgessees, when all the inhabitants of the kingdom, Irish of birth, English of blood, and new British colonies, and the old Irish natives, do all meet together to make laws for the common good of themselves and others, and their posterity. To this end his majesty hath most graciously and justly erected divers new boroughs in sundry parts of this kingdom. I say, his majesty hath done it most justly, even as his highness himself hath been pleased to say, that he was obliged in justice and honour to give all his free subjects of this kingdom indifferent and equal voices in making of their laws, so as one half of the subjects should not make laws alone, which should bind the other half without their consents; neither is that a new or strange precedent, for his majesty doth follow the steps herein of his next predecessor, which went before him. Queen Mary made two counties

counties of Leix and Offaly, whereby they were enabled to send knights to the parliament ; but they erected no boroughs in these new counties, that they might send burgesſes as well as knights.

31. IN queen Elizabeth's time, Sir Henry Sidney made ſundry counties in Conaught immediately before the parliament which he held in the 11th year of that queen. After him Sir John Perrot did the like in Ulſter, near about the beginning of the laſt parliament. Out of theſe new counties ſo many knights were added to the lower houſe, yet no man took exceptions thereunto. This did queen Elizabeth in her time ; what hath king James done more ? whereas the queen had omitted to make boroughs in theſe new counties, the king hath now ſupplied that defect by making theſe new corporations we now ſpeak of. For why ſhould all your old ſhires have cities and boroughs in them, and theſe new counties be without them ? Or, ſhall queen Elizabeth be able to make a county, and ſhall not king James be able to make a borough ? But what proportion is there now obſerved between the number of the counties, that before this time had no boroughs in them, and the number of the boroughs newly erected ? certainly the number of theſe new boroughs, compared with the counties that never had any boroughs before this time, doth carry a leſs proportion than the ancient counties ; for in theſe 12 or 13 ſhires there are 50 cities and boroughs at
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the least, which send citizens and burgeses to the parliament.

32. WHEREAS for 17 counties at large, being more than half the shires of the kingdom, which had not one borough in them before this new creation, his majesty now lately created but 40 new boroughs or thereabouts, which in the judgment of all indifferent men must needs seem reasonable, just and honourable.

33. LASTLY, this parliament is called in such a time, when all the lords spiritual and temporal do acknowledge the king of England to be their undoubted patron ; and when all the lords temporal do appear in an humble fashion, like themselves, none of them, God be thanked, claiming any such privilege, as the undutiful earl of Desmond was wont to claim, that he should never be summoned to come within any walled town, nor any parliament, or any grand council, but at his own will and pleasure.

34. WHEREUPON I may positively conclude, that this present parliament, now begun by your lordship, doth pass and excel all former parliaments that ever were holden in this kingdom, as well in the happiness of the time wherein it is called, and the importance of the cause for which it is called, as in the number and worthiness of the persons which are called thereunto.

35. AND this, doubtless, is a great honour and happiness unto your lordship, above all the former viceroys of this kingdom : For that your lordship doth now hold the first parliament, that
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may be justly called a common council, wherein all the commons throughout the kingdom are are present, and have free voices by their knights and burgessees, a glory and great felicity, that many of your predecessors zealous of the reformation of this kingdom did exceedingly desire, but could never attain unto it.

36. How glad would Sir Henry Sidney have been to have seen this day, he that so much desired to reform Ulster, but could never perfectly perform it? What honour would he have thought it unto himself, if he might have held a parliament, unto which that province should have sent so many worthy knights and burgessees as it now doth?

37. How joyful would Thomas earl of Suffex have been to have seen the statute he caused to be made for reducing the Irish countries into shire ground, to have taken so good effect, as now it hath, since all those countries are now brought into counties, and do all send knights to serve in this parliament.

38. IN a word, Sir Edward Poynings in the time of king Henry 7, and Lionel duke of Clarence in Edward the 3d's time, if they could but have seen half such an assembly in their parliaments, would have thought themselves happy, and highly honoured; and yet these parliaments holden by them are the most famous parliaments that have been formerly holden in this kingdom.

39. AND truly, as your lordship hath more honour in this respect, than any of your predecessors;

cessors; so I may justly say, without adulation, that your lordship hath merited this particular honour more than any of them that have gone before you.

40. FOR if it be an honour to you to hold such a parliament, you do but reap the fruits of your own labours, since yourself principally have prepared the ways to this parliament, as well by your martial virtue in time of war, as by your justice and policy in time of peace.

41. FOR, hath not your lordship, I humbly crave your lordship's pardon, I will not presume to ask the question, but I ask those reverend prelates, and noble lords, those grave and learned judges, those worthy knights and burgessees, I will ask of them the question: Hath not this most noble deputy been a principal author of the reformation of this kingdom? Was not his fortitude one of the chief instruments for suppressing the late rebellion? And hath not his justice since that time established the publick peace of this kingdom? Hath he not acted his part so well upon the theatre of honour, as no man is ambitious to come upon the stage after him, knowing it is more easy to succeed him in his place, than to follow him in painful and prudent courses of government; and that he must be as strong as Hercules to undergo the burthen, that such an Atlas hath borne before him? Nay, hath not himself performed Hercules' labours, in suppressing more monstrous enormities in Ireland, than Hercules did destroy monsters, when he sought adventures all over Europe.

42. I ASK not these questions, as if any man here were doubtful or ignorant of his noble virtues and deserts : but as praise is nothing but a resolution of his noble virtues, so should it be delivered rather collaterally than directly, to avoid suspicion of direct flattery, which I know your lordship loves not, as I know your lordship needs it not.

43. NEVERTHELESS, right noble lord, for, now I must address my speech to your lordship, though you have no need of my praise ; yet it is most needful, in respect of the place you hold, that your lordship should be adorned with all praise, and worthy virtues. You had need be a virtuous and most worthy deputy, since you sit in the throne, and represent the person of the most virtuous and excellent king in the world.

44. FOR he that doth fight with the sword of a king, writeth with the pen. He that hath the justice, mercy, and bounty of a king in his hands, had need be furnished with those noble powers and virtues, as are fit for the rule and government of a kingdom : especially if he hold the place of such a king as our most renowned and gracious sovereign is, who is the greatest and best king that now reigneth upon the face of the whole earth.

45. I CALL him the greatest king, not so much for the largeness and extent of his territories, nor for the multitude of his subjects, tho' he be in possession of three great kingdoms, and doth command more martial and able men than any king in Europe at this day.

46. BUT I will call him the greatest king for his exceeding great measure of goodness and virtue, and for the great grace and favour that his majesty standeth in with the Divine Majesty of the King of Kings. For, if that man be accounted the greatest subject of a kingdom, that is in highest favour with a king upon earth, why should not that king be the greatest king upon earth, that is in greatest favour with the King of heaven? And that our most gracious sovereign standeth in highest favour with Almighty God, doth not only appear by the innumerable blessings poured from heaven upon him, and upon his kingdoms for his sake, by the special providence and care God had always had of his sacred person, by protecting and delivering him from so many mortal and imminent dangers.

47. AGAIN, I will call him the best king; for he is a most just king, and justice is the best of all kingly virtues; and for that also he is a most bountiful king, resembling therein his divine goodness, ever surrendering and communicating his riches to others, which we must needs remember in this kingdom; for we cannot forget it without ingratitude, since we all know that his majesty doth not only expend the whole revenues of this land upon itself, but spares yearly out of England a great mass of treasure to support the extraordinary charges thereof, out of which the greater number of us here present by entertainments, pensions, or rewards, do taste every day of his majesty's bounty.

48. LASTLY,

48. LASTLY, his majesty ought to be called the best king, as well for his sweet inclination to peace, whereby he doth make happy both his own dominions, and also his neighbours kingdoms round about him, as for his singular piety and religion towards God, which is the best and highest praise that can be given to any prince.

49. BUT I should launch forth into a main sea, that hath neither bottom nor shore, if I should proceed further in the praise of such a prince, whose worthiness exceed all degrees of comparison ; it is a theme too high and too large for me to handle. It becometh me better to give thanks than praise, and therefore I will conclude with most humble thanks, first, unto Almighty God, for giving us such an excellent king ; then unto our gracious king for appointing us so worthy a deputy ; and lastly, unto our noble deputy, for all his good services, and endeavours tending so much to the honour of God, the king, and the general good of this whole kingdom.

AND now I descend unto those humble petitions, which I am to make, &c.

The end of his second speech.

WITH this speech was ended also four days sitting of the parliament, and nothing done, but still contending about the speaker. But when the recusant nobility saw by this fourth day's exercise, that they could not prevail, nor have

such a speaker, as was to their own liking, they did, as before is said, absent themselves one after another from the parliament house, notwithstanding that the most voices in election went still with Sir John Davis for to be the speaker in that lower house, as it will appear very plain, by a table here collected, gathered, and drawn for that purpose, by Edmond Wedhopp, esq; clerk of the lower house of the parliament, as it doth hereafter follow :

The lower house of parliament did consist of 232 persons, whereof	127 gave voice at the election for Sir John Davis knight, being all protestants.	Besides, that 6 did not appear,	Whereof 4 were protestants :	} 230
	97 gave voice for Sir John Everard knight, sometimes chief justice of the king's bench, being all recusants.		The other 2 recusants, which made up	

Besides, Sir John Davis and Sir John Everard, which made up the full number of 232.

I MAY not proceed any further without remembrance of two special letters, whereof one was

was directed to the king, and the other in manner of a petition, to the lords of the privy council, both bearing date the 19th of May 1613, viz. the second day of the parliament, whereby it doth appear, that the lords recusants of Ireland, would not let slip any opportunity, or pass any time, that might give them leave to plot any project, or work any invention, that might hinder, make stay, or delay of the present parliaments proceedings, as it will appear more plainly by the reading of these two letters here immediately following :

The letter of divers lords of the pale.

MAY it please your majesty, such is the excessive grief and anxiety of mind and conscience, which we the nobility of this your highness's kingdom here, as well in parliament, whose names are here under-written, do conceive by the more preposterous courses holden therein, as we must be inforced before we descend further, most humbly with tears, to implore your gracious favour, that if the due regard of your majesty's sacred honour, the careful consideration of the good peace and tranquillity of this your realm and country, the tender and feeling respect of our bounden and obliged duty to both, do carry us in aught beyond the limits of a well-tempered moderation, your highness will be graciously pleased to pardon our excess herein, so far as *pius dolor* and *justa iracundia*,

cundia do in themselves deserve. It would far pass the compass of a letter if we should insist to particularize the manifest, old, precedent disorders, and such as still do accompany this intended action; only your highness shall understand, that many knights from counties, and citizens and burgeses from cities and towns, have contrary to the true election been returned, and in some places force, and in many others fraud, deceit, and indirect means used for effecting of this so lawless a course of proceeding. Neither can we but make known unto your majesty, that under pretence of erecting towns in places of the new plantation, more corporations have been made since the beginning of last month, or a little more, than are returned out of the whole kingdom; besides, the number whereof (as we conceive it) contrary to your highness's intended purpose, are dispersed throughout all parts of this kingdom; and that in divers places where there be good ancient boroughs, and not allowed to send burgeses to the parliament; and yet these new created corporations for the most part are so miserable and beggarly poor, as their *tuguria* cannot otherwise be holden or denied than *tituli sine re, et fugimenta in rebus*, for divers of which their extreme poverty being not able to defray the charges of burgeses, nor the places themselves, to afford to any one man fit to present himself in the poorest society of men, though we must confess, that some of great fashion have not sticked to abase themselves to these

these places, do appear. The lord deputy's servants, attornies, and clerks, resident only in the city of Dublin, most of them having never seen or known the places for which they were returned, and others of contemptible life and carriage, and what outrageous violence was offered yesterday to a grave gentleman, whom men of all sorts that know him do and will confess him to be both learned, grave, and discreet, and free from all touch and imputation, whom those of the lower house, to whom no exceptions could be taken, had chosen to be their speaker, we leave, for avoiding tediousness to your highness, to their own further declaration. And forasmuch as, most renowned and dread sovereign, we cannot in any due proportion of reason expect redress in these our distressed calamities, where many of those, who represent the body of your estate, were the chief author of them, upon the knees of our loyal and submissive hearts, we humbly pray, that it would please your majesty to admit some of us to the access of your royal presence, where if we fail in the least point of these our assertions and declarations of other evils, which do multiply in this estate, we willingly submit ourselves to any punishment, as deserved, which it shall please your highness to lay and inflict upon us. For we are those, by the effusion of whose ancestors blood the foundation of that empire which we acknowledge your highness by the laws of God and man, to have over this kingdom and people,

was first laid, and in many succeeding ages preserved. To us it properly appertaineth, both in the obligation of publick duty and private interest, to heed the good thereof, who never laid the foundation of our hopes upon the repair of it, garboils and dissentions being the downfal of our estate, as some of us now living can witness; and therefore, we cannot, but out of the consideration of our bounden duty and allegiance, make known unto your highness the general discontent which those strange, unlooked for, and never heard of courses particularly have bred; whereof, if the rebellious and discontented of this nation abroad do take advantage, and procure the evil-affected at home, which are numbers, by reason of that already-settled and intended plantation, in any hostile fashion to set disorders on foot, and labour some underhand relief from any prince or estate abroad, who peradventure might be inveigled and drawn to commiserate their pretended distresses and oppressions; however, we assured the prowess and power of your majesty in the end will bring the authors thereof to ruin and confusion, yet will all things be drawn into great confusion, to the effusion of much blood, exhausting of masses of treasure, the exposing of us, and others your highness's well-affected subjects, to the hazard of poverty, whereof the memory is very lively and fresh among us; and finally, to the laying open of the whole commonalty to the inundation of all miseries and calamities, which garboils, civil
war,

war, and dissention, do breed and draw with them, in a rent and torn estate ; for prevention whereof, we nothing doubt but your majesty will give redress, by the equal balance of your highness's justice, which we beseech the Almighty, with your royal person, ever to maintain and preserve,

Your majesty's most faithful subjects,
David Buttevant. Gormanston. Da. Roche.
Fermoy. Montgarret. Killine. Delvin.
Christopher Slane. Robert Trymbleston.
James Dunboyne. Matthew Louth. Thomas Cahyr.

May 19, 1613.

THE same lords, aforesaid, have written to the lords of the privy council another letter, in form of a petition, in the name of themselves, and others, the knights, citizens, and burgessees of the parliament, as it doth here immediately follow :

To the right honourable the lords of his majesty's most honourable privy council.

The humble petition of the knights, citizens, and burgessees of the counties, cities, and ancient boroughs of Ireland.

MOST humbly declaring to your lordships, that the assurance of that his majesty's most princely inviolable justice, whereof your lordships, in matters of state and government, are the high and supreme distributors, doth embolden

bolden us in our oppressions, to address these our
submissive lines to your honours, wherein our
purpose is, not to be our pleasers, the strangeness
of our extremities finding no fit words to express
it ; and therefore, in declaration of the naked
truth, your lordships shall understand, that we,
the knights, citizens, and burgessees of the coun-
ties, cities, and ancient boroughs of this realm,
coming according to our bounden duties into
the parliament house, we find there 14 coun-
cellors of state, 3 of the judges, having before
received writs to appear in the higher house, all
his majesty's council at law, and the rest of the
number, for the most part, consisting of attor-
nies, clerks in courts, of the lord deputy's reti-
nue, and others his household servants, with some
lately come out of England, having no abiding
here ; and all these, save very few, were re-
turned from the new corporations erected, to the
number of 40, or thereabouts, not only in pla-
ces of the new plantation, but also in other pro-
vinces, where there be corporations of antiquity,
few or none of them having been ever resident,
and most of them having never seen these places,
the rest, who possessed the rooms of knights of
shires, save 4 or 6, came in by practice, and
dishonest devices, whereunto themselves were
not strangers ; and some there were from an-
cient boroughs, who intruded themselves into
their places, by as undue and unlawful means,
as the knights and burgessees duly elected were
ready at the parliament door to prove and
avouch :

avouch: for redress whereof, we of the ancient shires, cities, and towns, to whom no exceptions could be taken, being desirous to take the usual and accustomed course, what outrageous violence ensued by the fury of some there, we humbly leave to your lordships to be informed by our declarations, whereunto a schedule, by direction of my lord deputy, subscribed with our hands, is annexed. And forasmuch, right honourable, the strangeness of these proceedings in a Christian commonwealth is such, as we cannot think his majesty and your lordships will hardly be induced to believe, they being, in the likelihood of impossibility, equal to that of Messalino unto the emperor Claudius in ancient Rome, or to any other accident, how rare soever, transmitted to their posterity in modern or ancient shires, we humbly pray, that your lordships, in commiseration of our distresses, will be a mean to his highness, that some of us, with some of our nobility, may be licensed to present ourselves there for the proof of our assertions, wherein if we fail in any one point, we utterly renounce all favour, and that in the mean time his majesty will be pleased to suspend his gracious judgment, in the apprehension of what to our prejudice may be informed here, those from whom his highness doth usually receive information, being the authors of the carriage of what is done amiss.

The end of this petitionary letter.

THE

THE two letters being thus written, as before you have heard, were sent with all expedition to England to his majesty, the contents of which letters were returned back again into Ireland to the lord deputy within sixteen days, as you shall hear hereafter. Now it is necessary that we in the mean time do proceed farther concerning the actions and dealings of the parliament-house.

BUT first it is to be remembred, that upon the 23d day of May, being Whitson-funday, the lord deputy rode in very great state (but not in any parliament robes) to the cathedral church of St. Patrick's to hear divine service and a sermon, being attended on by all the nobility of the kingdom, lords spiritual and temporal, in very great pomp, as appertained; but not one of the lords recusants went into the church that day, but stayed without, as they had done the like upon the first day of the parliament: and when the service and sermon was ended, and the lord deputy returning back to the castle, the viscount Buttevant and the viscount Gormanston fell at debate for precedence of places, as who should ride foremost, or take the upper hand, &c. which strife continued between them all along the street, even till they came to the castle gate, whereby the lord deputy and all that honourable company were greatly disturbed and troubled, and with much ado they were appeased for that time. And shortly after they were called before the lord deputy and council, where each of them challenged precedency of the other by antiquity of
of

of their births and callings; but when their antiquities appeared doubtful and could not be well proved for the want of good records, it was ordered that the viscount Buttevant should have the precedency until the viscount Gormanston could bring forth more ancient records than the other.

LIKEWISE at another time the baron of Lixna and the baron of Delvin contended for precedency. So did the baron of Trimblestown and the young baron of Dunsany.

NOTWITHSTANDING this, and many other disturbances, the parliament yet continued sitting, and there sat some four or five of the lords natives of the kingdom, from day to day, together with the lords spiritual and temporal, and also the knights of the shires, with the citizens and burgeses of cities and corporate towns, as many of them as could be gotten together, where were debated many matters, and many bills and petition heard, but very few determined of, except an act of recognition for the acknowledgment of the king's majesty's royal prerogative concerning his highness's right and title to the crown and kingdom of Ireland.

THERE was also called a convocation of the clergy, which was holden as a national synod for the kingdom of Ireland, within the cathedral church of St. Patrick, there to propound questions of religion, and to compose articles for the avoiding diversities of opinions, and the establishing of consent touching true religion.

There

There was also determined what subsidy the clergy of Ireland should pay to the king ; in which convocation Mr. Ralph Barlow, batchelor in divinity and chaplain to the lord deputy, was elected prolocutor for the lower house of convocation.

WHILE these things and many other more of great consequence were debating in the parliament house, there was spent about some four or five days more, and no business perfected, by reason that the recusants of all degrees, either absented themselves altogether from the parliament, or else consented not to any conclusion of such questions as were there propounded ; by means whereof the parliament was adjourned until the fifth of June.

THE thirty-first of May, being Monday, were executed Patrick Hudson, Thomas Reynolds and John Adams for piracies and murders committed on the seas upon the north coast of Ireland.

ABOUT this time came letters out of England to call the lords recusants to appear before the king's majesty, according as they themselves had formerly requested in their letters sent the second time to his highness. And presently hereupon the lord deputy with all expedition sent the earl of Thomond, Sir John Denham, lord chief justice of the king's bench, and Sir Oliver St. John, master of the ordinance, into England, there to certify his majesty the truth of all the proceedings of the parliament in Ireland, and to

to reply against the lord recusants, as occasion should serve, and according as they should receive instructions from the lord deputy from time to time. Also the lord deputy gave notice to the lords recusants, that they had leave and liberty to go into England without interruption, there to shew themselves before the king, and to prosecute their complaints at their pleasure, who were marvellously joyful at that news, and prepared themselves in all haste to depart, with a settled resolution to oppose themselves against all the proceedings of the parliament-house; and so all these being departed, the lord deputy adjourned the parliament again the second time until the fifth of October.

THE names of those that went first into England, Jenico Preston, viscount Gormanston, James lord baron of Dunboyne, Sir Christopher Plunket, Sir James Goughe, knights, William Talbot, Edward Fitz-Harris, esquires.

If there were any more that went over at this time, I have not any notice of them.

Now after the earl of Thomond, Sir John Denham and Sir Oliver St. John were gone into England, who took shipping the 28th of May, there were necessary instructions to be sent over to the earl, and to his worthy associates, concerning certification and replication, if need were, whereof here followeth a part or parcel in these lines next following.

A PART

A PART of the instructions sent to the earl of Thomond, Sir John Denam, and Sir Oliver St. John in England, 6th Junii, 1613.

WHEREAS they say, that such as were returned to their party were without exception, you may shew the contrary by shewing how many of them were heads of rebellion in the last wars, how some of them can speak no English, how they were all elected by a general combination and practice of jesuits and priests, who charged all the people, upon pain of excommunication, not to elect any of the king's religion.

To acquaint the lords of the council in the presence of the recusant lords and commons now gone thither, that in conference had with Tyrone and his Irish partakers in the late rebellion, when they thought to carry the kingdom from the crown of England, he and the rest of the ancient Irish did solemnly declare and publish, that no person of what quality or degree soever, being descended of Irish race, birth or blood, though they came in with the conquest, and were since degenerated and become Irish by alteration of name and customs, should inherit or possess a foot of land within the kingdom, for that they had of the ancient Irish that could pretend justly to every foot of land which they possessed, who should enjoy the same. And when it was demanded of them by some degenerate English, and others of good surnames, who did join and partake

partake with them in that rebellion ; what should become of them and their houses and families, they said, that those of the rebellion should be slain ; the rest, if they would stay in the land, should be entertained for their bo-naughts, or to labour, and if they liked not thereof they might depart the kingdom.

THIS discourse notwithstanding they can be content to admit into the house of parliament to make laws, some of the principal actors in that rebellion, and are offended, that they cannot expulse the king's honest subjects to draw in more of that wicked crew, as namely are elected and returned, Sir Bryan Mc Mahon, who is married to Tyrone's daughter, Sir Tibot ne Long, alias Bourke, Phelim Mc Tieve Byrne, Dermot Mc Cartie, alias Mc Donogh, Donnel O Sullivan, Bryan Mc Donogh, supposed by the recusants duly elected ; and that they would fain draw into the house Sir Tirlagh M'Henry O'Neal, half brother to Tyrone, Sir Arthur M'Genis, who is married to Tyrone's daughter, Henry M'Shane O'Neal, Tirlagh M'Art O'Neal, Connor Roe Maguire, Sir John M'Coughlan, Callogh O'Moloy, Capt. Richard Tyrrell, and others of that crew. For they would have Barabbas, and exclude Jesus.

ARTHUR CHICHESTER.

IMMEDIATELY after the departure into England of those lords, and others of the recusants, the

jesuits and seminary priests that were in Ireland,
 began to seduce the people of the country, and
 made them to believe that these lords recusants
 and the rest were gone over of purpose to be
 agents and suitors to the king for the good of
 the common wealth, and for the setting up of
 their religion, or at least to obtain liberty of
 conscience; and therefore it was meet that they
 should contribute, and every man according to
 his ability to give money for the maintenance of
 those agents, and to bear their charges during
 their abode in England: which thing was grant-
 ed, and collectors appointed in every barony to
 levy and take up a certain kind of imposition un-
 der the name of benevolence, or a voluntary
 liberality, whereby the poorer sort within a while
 were sorely vexed and molested by the collec-
 tors, altogether unknown to the lord deputy:
 but when his lordship had intelligence of those
 disorders, and how his majesty's subjects were
 oppressed of those collectors by such an irregular
 course, he presently sent forth proclamations
 throughout the whole kingdom to advertise all
 his majesty's subjects, that there was not any
 such matter as setting up of religion or liberty of
 conscience to be looked for, and that the lords
 and others that went over were sent for by spe-
 cial commandment from the king's majesty, to
 answer such abuses and absurd dealings as hath
 been committed in the parliament-house and
 elsewhere in other places of the realm, about
 choosing the knights of the shires and the bur-
 gesses

gessees of cities and corporate towns to attend in that high court of parliament; and likewise straight charge and commandment was given in the said proclamation, that no more monies should be collected in that nature, but the money wheresoever collected should be redelivered back again to the owners, upon pain of great punishments to be inflicted: and so that collection ceased.

THESE noblemen and the rest of the recusants, when they came into the presence of the king, his majesty was well pleased to give them gracious entertainment of his princely clemency, he vouchsafed to use fundry conferences with them as well publick as private, wherein those recusants endeavoured to put the king's majesty in dislike of the lord deputy, and with his proceedings in the government of the kingdom of Ireland, and daily they urged many grievous complaints against him, as will appear more plain by their petitions and articles exhibited to the king, the true copies of which here follow in as good order as possibly they could be collected and gathered together.

To the King's most Excellent MAJESTY.

The humble petition of most of the temporal lords, the knights, citizens and burgessees of most of the counties, cities, and ancient boroughs, assembled to the parliament in Ireland, by their agents, the lords viscount Gor-

manston, the lord baron of Dunboyne, Sir Christopher Plunket, Sir James Goughe, knights, William Talbot and Edward Fitzharris, esquires.

MOST mighty and most gracious sovereign, presuming upon your ever renowned justice and prudence, which maketh your highness through the world so admired, and the hard terms whereunto we are driven by the disorders used in the proceedings to this present parliament now called in your majesty's realm of Ireland, we your highness's most faithful and obedient subjects, the greatest number of the temporal lords, together with the knights, citizens, and burgessees of the counties, cities, and ancient boroughs underwritten, assembled to the said parliament, do in most humble and submissive manner, by our agents above-named, present and offer to your highness's most deep and sincere judgment and consideration this annexed schedule, containing some particulars of miscarriages and abuses in the election of knights, citizens, and burgessees of several cities, counties, and boroughs, and the corrupt and false returns of divers sheriffs and officers to the said parliament, whereof we formerly complained in general terms, according as the same hath been complained upon, and delivered unto us from the inhabitants of those places. By which indirect proceedings (it being a matter very dangerous, that the sheriffs should, at their pleasure, make

make the lower house of parliament to consist of what persons they pleased to return) and by means of other strange and unwarranted courses, now also held in the said parliament, which your suppliants are ready to lay open upon the further hearing of this cause, being over long to be particularized in this petition, your humble subjects and supplicants do fear, that the way is laid open to the infringing of those moderate liberties and privileges, which the subjects of those your majesty's kingdoms of England and Ireland, as their birthright do hold, and have enjoyed since the first institution of the laws whereby they are governed.

AND although, dread sovereign, under so wise, so just, so merciful a prince as your highness, we cannot expect any other laws to be introduced, than such as may tend to the good of the kingdom, and may best sort with the nature of your majesty's people, yet such is the tender respect and care we are bound to have of your majesty's honour, and so great danger that such precedents may in time to come bring upon us and our posterities, as we thought it our duties to your highness and our country, not to join so exorbitant proceedings, which would not only give occasion to the ill affected to scandalize your never impaired justice and government, but also lay perpetual infamy upon us, as concurring and assenting to the same. And forasmuch as we may very well suppose, that those raised to high places and callings by your majesty's

jeſty's great bounty, who ſtick not to violate the privileges of the lower houſe of parliament, by offering violence and force to us your ma- jeſty's moſt faithful ſubjects lawfully there cal- led and aſſembled, they having, by force, pulled down out of his chair the ſpeaker lawfully elect- ed by us, and terrified ourſelves by their violent carriage there in ſo ſacred a place, do now en- deavour to caſt heavy aſperſions upon us, thereby to withdraw your gracious cares from our juſt complaints: we moſt humbly beſeech your highneſs, to afford us in your highneſs's own per- ſon, favourable and indifferent hearing, where- upon we doubt not, your ſacred majeſty will yield the favour and juſtice to your highneſs's poor ſubjects of the kingdom, which they moſt earneſtly expect, and do ſtand with your inhe- rent and hereditary juſtice and clemency, and they and we ſhall always pray for your highneſs's long and happy reign over us. And in regard that acts of parliament do bind all ſubjects of the kingdom, as things done by their own conſent, whereby not only laws are made or altered, but alſo the lives, lands, and eſtates of any perſon may be taken away, or otherwiſe diſpoſed of thereby, and to the end therefore that the ſub- jects may chooſe thoſe, and in whom they may reſoſe moſt confidence, the laws do provide, that the election of knights of the ſhires, citi- zens, and burgeſſes, who do repreſent the whole body of the commons of the kingdom, ſhould be made openly and freely without force or fraud,
and

and that such men should be chosen as are residents and have estates in the places for which they are chosen, to the end that such men (being best acquainted with the condition and nature of the people) may make laws and statutes most agreeable and expedient for them; and by the statutes in force in that kingdom, those which are to be elected knights of shires should be of the nativity of the same country; to which laws and statutes divers mis-elections with force, fraud and false returns have been made, practised and used in the counties and places here underwritten for this present parliament, as may appear by the several petitions of the inhabitants complaining and seeking redress herein:

County of Armagh. Elected Sir Tirlough Mc Henry, and Henry O'Neal, yet the sheriff returned Sir Toby Caulfield, and Sir John Bouchier, who hath no residence there in that county.

County of Cavan. Elected Walter Talbot, and Richard Tyrrel, esquires, but John Fish, and Sir Oliver Lambert were returned, &c.

It seemeth by the contents of this petition and of sundry other circumstances, whereof you shall read hereafter; that there have been omitted for brevity sake many of these particulars mentioned in the schedule, and that these two, the counties of Armagh and Cavan are only set down for examples, as sufficient for the whole.

THESE recusant lords, and others the petitioners from Ireland, were commanded to stay in England, there to attend his majesty's good pleasure,

pleasure, until such time as his highness had leisure to peruse all their complaints, and seriously to debate upon every particular, to the end that after deep consideration had, through grave advice and wise council, such answer might be given them as best should be fitting to his highness's royal prerogative, his princely magnificence and clemency, and to the honour of his empire and monarchy.

THE lords of the privy council in England by direction from the king, did write to the lord deputy in Ireland, requiring him to send over into England twelve of the most noted persons recusants of the parliament-house, *viz.* four lords, four knights, four burgeses; but before that letter came to the hands of the lord deputy, the lords, knights and burgeses, had, by way of intercession to the lord deputy, obtained licence for six of their company to go into England, as agents for the whole, which six are often before named, and are also again named in the title of the subsequent petition.

To the King's most Excellent M A J E S T Y.

The humble petition of Jenico lord viscount Gormanston, James lord baron of Dunboyne, Sir Christopher Plunket, Sir James Gough, knights, William Talbot and Edward Fitz-Harris, esquires, agents for and on behalf of others of the lords, knights, citizens and burgeses, assembled in this present parliament of Ireland.

M A Y

M A Y it please your highness,

WH E R E A S upon humble petition and complaint to your most excellent majesty from divers of the lords, knights, citizens and burgessees, assembled in this present parliament now in Ireland, touching divers hard courses practised and used in the proceedings of the said parliament, it pleased the lords of your highness's council here, by your majesty's direction, to give order to the lord deputy of that kingdom, to permit four of the lords and eight of the knights, citizens and burgessees aforesaid, to make their repair hither to your highness, to set forth more particularly their causes of grievance. Before receipt of which directions the said lord deputy (at the instant request of the lords, knights, citizens and burgessees aforesaid) did give licence to us your humble subjects above named, to address ourselves to your majesty, as agents for the rest that complained: whereupon we by their authority and direction preferred humble petitions to your highness, concerning some parts of the disorders and abuses, which your majesty benignly and favourably was pleased to accept and peruse, to the great joy and contentment of us, and all other your highness's faithful subjects. But now it is, dread sovereign, that the said lord deputy, upon the said directions received, after our departure from that kingdom, did require six more of the lords, knights, citizens and burgessees aforesaid,
to

to repair to your highness forthwith for the same cause ; and for so much as we being employed and sent hither as agents, by instructions and authority from the rest, are thought by them a number competent for that purpose, and for that, more of them will prove but an unnecessary charge and delay ; it may please your most excellent majesty to accept of our attendance for the whole, and to give directions for the stay of all the residue in that kingdom, until your majesty shall upon further cause otherwise determine. And forasmuch as our last petition exhibited to your highness (for avoiding tediousness) we did omit to particularize divers other grievances, arising of the said proceedings to the parliament aforesaid, we have presumed herewith (according to our instructions) humbly to present to your most gracious view and consideration a further relation of other miscarriages, errors and abuses in the same, most humbly beseeching your highness in your most sincere judgment and justice to take such orders and courses for redress thereof, as may stand with the honour and renown of so mighty a prince, and the comfort, ease and relief of your people, and they and we, &c. shall continually pray for your majesty's royal progeny long to reign over us.

It appeareth that there was not any good hearing given to this petition concerning the principal substance thereof, which was, that his majesty would be pleased to give directions, that there should not be any more of the recusant lords,

lords, knights, citizens, and burgesſes of the parliament ſent for over; but that requeſt was not granted, for not long after there were many more ſent for than before, as it will appear in the diſcourſes following; but firſt we muſt here ſet down theſe further miſcarriages here following, becauſe they are dependencies of this former petition, and of others that have been formerly exhibited.

SOME further miſcarriages, errors and abuſes in the proceedings of this preſent parliament in Ireland, beſides thoſe formerly preſented to your majeſty by petition.

MA Y it pleaſe your moſt excellent majeſty to be advertized, that your highneſs's kingdom of Ireland is divided into thirty-two ſhires, ſeven cities, and very many ancient burroughs, of which ancient burroughs there were not warned to this parliament throughout the whole kingdom, above the number of thirty or thereabouts, which, as it appeareth, was done of purpoſe, and not of negligence, in that divers of the ſheriffs of Meath and Kildare being deſired to ſend precepts to divers ancient burroughs in their counties refuſed ſo to do, alledging they had ſpecial directions to the contrary. Some ſheriffs likewise, as namely the ſheriffs of the county of Wexford and Weſtmeath, having formerly ſent warrants to divers ancient burroughs in thoſe counties, and burgesſes being choſen upon thoſe warrants, the ſheriffs refuſed
notwith-

notwithstanding to accept the returns of the officers of those burroughs, and so none appeared for them in this parliament.

OF the other side there appeared in this parliament for new corporations never before heard of by us, to the number of four score persons, or more, of whom very few were natives of the country, but for the most part captains, lieutenants and commanders of soldiers which did daily oppress the poor country, many clerks, attornies, and officers of courts and places, who with excessive fees continually extorted upon the subject, divers servants to great men, and others that made their benefit by following intrusions and concealments to the great impoverishment of the ancient gentlemen and freeholders ; so as these being the greatest enormities and grievances in that poor common wealth, the inhabitants (who expected redress thereof by laws to be enacted in that parliament) seeing so many in number of that sort of people, as these that joined with them were able to oversway the whole house by the multitude of their voices, were in despair of any good remedy to be provided by their means for those things which they most desired.

FEW or none of these had their residence or being (as by law they ought to have) in those places for which they appeared, many of them having never seen them, and some of them scarcely knowing the names of those places, yea some of them being but lately come into that kingdom

kingdom had no determination of abode there to make themselves, or their posterities liable to those laws they would there enact.

THESE new erected corporations also for the most part are beggarly and poor, being neither inhabited, nor able to send burgessees of their own, or go upon their own charges to parliament: and whereas in the ancient boroughs there be divers freeholders holding by burgage tenure, so as the inhabitants are not immediate dependents altogether upon one man, it is otherwise now in these new corporations, for that the freeholders of each of them, for the most part is altogether in one man; so as he being able to command his tenants at will, or for years, may have by their means the nomination of those who are to give voice in parliament, where the inhabitants of a whole county can have no more.

WE conceive, if it may please your highness, that your gracious intention and direction for granting a liberty to those new corporations, that they should have voice in parliament, was upon suggestion made, and argument urged, that it were hard to bind those people by new laws or statutes, who had no means to give or deny their consents in enacting of them: but that suggestion was not altogether true; for they being within the counties and shire ground (as all the kingdom of Ireland is) they had voice by two knights of every one of the shires, wherein these corporations are erected; which might as well satisfy them, as Wales is supplied by one knight
and

and one burgesſ only for every ſhire. And whereas in ſome of thoſe counties there are now erected 6 new corporations, in many ſeveral ſhires of this your highneſs's kingdom of England, (being far better peopled, and ſtored with towns and habitation, than there is likelihood the other will be for many years yet to come) there is but one borough alone that ſend burgeſſes to the parliament; yea, in Rutland-ſhire, there is not one city or borough that hath voice in parliament) yet thoſe in Ireland are not ſatisfied with a convenient number or proportion (as doubtleſs your highneſs's intention was they ſhould be) but have made up ſo many as they do ſeek to preſcribe laws thereby to the whole kingdom beſides: and many of theſe new erected corporations are in ſhires and counties, where there were before ſufficient number of cities and ancient boroughs.

THERE are alſo new charters ſent to ſome ancient boroughs, without the requeſt of the great number of the inhabitants, and of theſe charters ſome few, as to the number of 12, or thereabouts, are only ſelected, and enabled to ſend burgeſſes for the parliament, excluding thereby the reſidue of the inhabitants, who by the laws and ſtatutes of the kingdom, ought to have voice in the election. And upon ſome of theſe new charters, this ſelected number do chuſe two of themſelves for burgeſſes, contrary, as we conceive, to the very charters, whereby it is limited that the 12 burgeſſes ſhall concur in the election of burgeſſes.

OF this kind of compoſition, joining with them thoſe that were miſ-elected and falſely returned,

turned, most gracious sovereign, consisted that number in the lower house of parliament, the first day of our sitting, who by violence and force pulled down from his chair Sir John Everard, knight, the speaker duly chosen and elected by us, the lawful members of that house, and quietly settled and placed there, a man of grave, civil, and discreet carriage, who having with great commendations a good while supplied the place of one of the justices of your majesty's place, upon his surrender thereof was graced with a pension by your highness's royal bounty; whom the said disorderly company having forcibly pulled down as aforesaid, tore his garments, and bruised his body, with like violence and force they put up in his lap Sir John Davis, who being himself in-selected, and falsely returned into the house, could not be elected to that place.

WE most humbly leave now to your majesty's due consideration, whether it standeth with the never dying honour of your majesty, with the good of that commonwealth, which must receive prejudice by giving way to such a precedent, or with our own poor reputation, besides the intolerable hurt that must fall on ourselves, and on our posterities, that we should join to be partakers in such kind of proceedings, we doubt not your majesty in your transcendent judgment and understanding will hold, that in withdrawing ourselves, and signifying those proceedings to your highness, we have done that, which in duty to God, your majesty, and our country, we ought to have done,
and

and that in your princely and hereditary justice, the abuses committed shall be reformed, to the eternal fame of your highness, and the unspeakable contentment of your poor subjects of that kingdom.

SOME other objections we humbly make against the said proceedings, which we have digested into these brief points following, humbly making petition for so much as they depend on matters of law, that your highness will be pleased to require the judges of this your highness's kingdom, to signify their opinions concerning the same, and that we may have warrants and allowance to entertain council in law upon the whole matter ; not for that we expect that your majesty should proceed according to the extremity of law, but rather according to your natural and benign clemency.

THE commission directed by your highness for the holding of their present parliament doth limit (as we conceive) that the right honourable the lord deputy should cause to be summoned and assembled your lords spiritual and temporal, and the knights, citizens, and burgessees of cities and boroughs, and others whatsoever of the said kingdom, which have used to come to the said parliament, according to the custom there heretofore used ; so as this authority being restrained to the ancient usage, must be strictly pursued, and so no warrant or ground to assemble burgessees out of any other but the ancient corporations.

ALTHOUGH

ALTHOUGH we make no doubt but that your majesty may make as many corporations in every of your kingdoms as your highness shall think expedient, yet we humbly leave to your consideration, whether such new created corporations ought by the law to have voice in the parliament, before they have allowance or confirmation by parliament, or whether that privilege or liberty do properly and only belong (beyond all memory) to the ancient boroughs; and whether the making of many of them only by patent, do not abridge the liberties of free parliaments. Most of these new corporations have their patents and charters of creation after the date of the said commission for holding this parliament, and some after the writs of summons issued; so as there being no warrant in the commission to call or assemble any borough, but such as were in *esse* or being at the date of the said commission, the sheriffs, whose power and authority are derived under the said commission, have no warrant or authority to warn any others; and so such new corporations are not to be received in this parliament.

DIVERS other questions arising upon the whole matter, we do omit for avoiding tediousness to your majesty.

NEEDLESS tediousness is far unfit to trouble princes with, thereby to withdraw their minds from far more weighty affairs; notwithstanding, these noblemen, knights, citizens, and burgessees, agents for the kingdom of Ireland, have been

most industrious, and used great diligence in prosecuting of such causes (as they do say) have been committed to their charge by the rest of the noblemen and commons of Ireland. If it be so, they have deserved great commendations; for they have not spared tediousness in their discourses to beat still upon one subject, viz. the proceedings of this parliament, by innumerable circumstances, all tending to induce his majesty to take disliking to the lord deputy's proceedings in that behalf.

In these last advertisements they further prayed the king to procure the judges of England to signify their opinions concerning the same, and to have warrants and allowance to entertain council in law, such as they should chuse. The validity of these requests considered, they were neither denied nor granted; but these agents ceased not daily either to importune the king, or some of the council, so that they were never at rest, as it further appears by this following petition.

To the right honourable the lords of his highness's privy council.

The humble petition of Genico lord visc. Gormanston, James lord baron of Dunboyne, and others, agents for and on the behalf of other the lords, knights, citizens, and burgessees assembled to this parliament of Ireland.

MOST humbly making petition, that whereas your supplicants are commanded by his

his majesty and your honours to attend in the council-chamber upon Friday in the afternoon, for reducing to certain heads the differences fallen out in the lower house of parliament in Ireland aforefaid, complained of to his majesty and your honours, whereby the same may be provided to be heard and decided by his highness. And forasmuch as the matters are of great moment, depending upon questions in law, which are very like to be precedents in future times for both the kingdoms of England and Ireland, being governed by one law in these points, in regard whereof your supplicants were humble petitioners to his majesty to have warrant for council in law to be assigned unto them, for the better opening and setting forth of the cause; unto which his highness was most graciously pleased to give good ear; and for that your supplicants held it not expedient to trouble his highness with the signing of warrants in this case, it may please your lordships to direct and appoint, that your petitioners may have sufficient council in this matter, such as they shall make choice of, to the end that the same, after full hearing and debate, may the more easily receive determination by his highness.

And your supplicants shall pray, &c.

THE names of those whom the recusant lords and agents of Ireland desired in England of the king and council, to be assigned them for council,

Serjeant Hayes. Serjeant Button. Mr. Damp-
 port. Mr. Walters. Mr. Yelverton. Mr.
 Crew. Mr. Noy. Mr. Finch. Mr. Jenkins.
 Mr. Petite.

I HAVE not heard of any allowance for these men to be assigned as counsellors in law to these agents of Ireland ; but I have seen that these agents have prosecuted those suits themselves, not only in the same nature and forms, as formerly they began concerning parliament grievances, but also began to set on foot suits in another nature, and other terms of civil grievances in civil government, as it will appear in the discourses following.

Agentes Hiberniæ Domino Regi. 27 Jun. 1613.

WHEREAS the king's most excellent majesty hath, by sinister and undue course of information, been induced to give way to the erection of fundry corporations within the realm of Ireland, as well in counties where there were no boroughs, as in others well stored of them ; inasmuch, as the agents from that kingdom are ready to make proof of the poverty of most of those places, and to give his majesty other good satisfaction, why these corporations should not be multiplied into so great a number, it may please his majesty the same course may be taken for the said counties newly made, which have no ancient boroughs, as was taken for giving
 ing

ing of liberty to Wales in sending knights and burgesſes to the parliament in England ; that is, to give liberty by parliament for one borough in every ſuch county to ſend burgesſes to the parliament, which, beſides the knights of that ſhire, may ſuffice, conſidering that in England itſelf there be divers ſhires that have but one burgeſs to give voice in parliament ; and the habitation of that part of the kingdom of Ireland is not comparable to either Wales or England, and, hardly can one place be now found in every of theſe new counties, fit to be endowed with ſuch liberties.

WHEREAS alſo divers falſe and undue returns have been made of knights, citizens, and burgesſes to this parliament in Ireland, for which the penalties due to his majeſty, as well upon the ſheriffs and officers, as upon the parties, by the law of that kingdom, will amount to a great ſum of money ; that his highneſs may be pleaſed to direct, that an indifferent courſe may be taken with great care in the examination of the premiſſes, and of divers other abuſes in men of great countenance and place there ; and that the penalties may be followed by courſe of law for his highneſs's benefit, and the example of others hereafter in like caſe offending.

WHEREAS alſo the ſubjects of Ireland do endure great loſſes and grievances, by the colour of tenures, wardſhips, alienations, intruſions, and concealments, yielding very little profit to his majeſty, to have theſe uncertain ſmall profits reduced to a certain revenue for his majeſty ;

that his highness will be pleased, in lieu of these and other things incident thereto, to accept by parliament, a yearly sum by way of composition, which will bring a good increase to his highness's yearly revenues, and give good content to his majesty's subjects.

WHEREAS also, the king's majesty doth receive a yearly composition, in lieu of cess, and other country charges, which was made in the English pale for a certain time only; which composition is oftentimes broken by means of the extortion of soldiers, and other unnecessary charges imposed upon the subjects, contrary to that composition: that his majesty would be pleased to give special order for observing the same, and that it may please his majesty, that the same, which is now uncertain, may be confirmed by parliament, with such cautions as shall be thought fit.

THUS far proceeded the lords, knights, citizens, and burgeses of the parliament, who were first sent over into England agents (as they alledged for themselves and others the lords, knights, citizens, and burgeses of the recusant faction in Ireland) with their petitions, annexed schedules, and other their dependent grievances. But now there are other new supplies come over, whom his majesty hath been graciously pleased to call out of Ireland by special name, to the end that they might shew their general grievances the better, by their own special relation. Now these men had their general and particular instructions to join with the former agents in all
their

their invectives against the lord deputy, as it will more plainly appear by the discourses hereafter following.

THE names of such as are arrived in England; David, lord Barry, viscount of Buttevant; David, lord Roch, viscount of Fermoy; Christopher, lord baron of Slane; Christopher, lord baron of Killeen; lord baron of Delvin; Robert, lord baron of Trimleston; Sir Walter Butler, Sir Daniel O'Brien, Sir Christopher Nugent, Sir William Bourke, Sir Thomas Bourke, Sir Patrick Barnwall, Sir John Everard, Andrew Barrett of Corke, Esq; John Moore of Conaught, Richard Wading of Waterford, James Galway of Limerick, Thomas Luttrell, Patrick Huffie, M'Donogh, chief of his name.

THESE noblemen, knights, and burgessees, recusants of Ireland, shewed themselves before his majesty, by whom they were most graciously received; and the hearing of their causes was referred to such convenient times, as his highness might have convenient leisure to attend them. Now these, together with the former lords, knights, and burgessees, did use daily to frequent their secret conventicles, and private meetings, to consult and devise how to frame plaintive petitions, and invective articles against the lord deputy, as it will more plainly appear, and more manifestly, by the petitions and articles exhibited to his majesty, as they do hereafter follow in their due places.

T H E king's most excellent majesty, out of his gracious and princely clemency, at sundry times of his leisure, vouchsafed to send for some of those recusants, lords, knights, and burgeses of the realm of Ireland, to discourse with them concerning their causes or complaints, and the original secrets of their grievances, specially touching the lord deputy and his government; by which means, some of them answering by a meer instinct of truth, which is ever irresistible, confessed that the lord deputy's government was for the most part unreprieveable, as it doth appear in his majesty's speech of the 21st of April 1614, and the 35th section of that Speech. And as it pleased his majesty to proceed from question to question, at last he demanded their opinions concerning the pope, whether it were lawful for him to depose kings, and to give liberty to subjects to raise rebellion against their lawful princes, and to deprive princes of their lives in such cases of religion. Some of them answered, that they thought he might, or that it was in his power; among whom William Talbot and Thomas Luttrell were noted to be most peremptory, and therefore they were committed to prison; William Talbot was committed close prisoner to the Tower of London, and Thomas Luttrell to the Fleet.

T H E N, not long after, Sir Patrick Barnwall was called before the lords of his majesty's most honourable privy council, to answer certain letters of his, which were happened into the council's

cil's hands, as it will appear by this that here immediately follows, the original whereof was written with Sir Patrick Barnwall's own hand, and signed, &c. (to which he made a submission as followeth.)

ON Thursday the 22d of July I was called before the lords of his majesty's most honourable privy council, where there were three letters of mine produced, wherein were contained some matters offensive, not fit to have proceeded from a man of as little understanding as myself, wherein I do acknowledge mine offence, and am most heartily sorry for the same, and have besought their lordships to present to my most gracious sovereign my most humble acknowledgments of that my fault, and sorrowful repentance for the same, and to be intercessors for me to his sacred majesty to remit my said offence ; where, upon my humble suit, I found their lordships out of their honourable dispositions to be ready and willing to vouchsafe me that favour ; which we do and must acknowledge to be a great and binding obligation upon me. And as for the pope's authority, I have always been, and am fully resolved, that the pope hath no power to depose the king's most excellent majesty, or to take from him the least part of his dominions, kingdoms, and countries ; and that that doctrine is most prophane, impious, wicked, and detestable, that his majesty, or any other sovereign prince, if he were excommunicated by the pope, might

might be massacred or done away by his subjects, or any other; but do firmly hold, that notwithstanding any excommunication, or any other act, which is or may be pronounced or done by the pope against him, his highness's subjects should be and ought to expend their goods, estates, and livelihoods, and to expose to all danger and hazard their blood and lives in defence of his royal person from violence, his kingdoms and estates from invasion and overrunning, as I protest before the majesty of Almighty God I would do myself.

PATRICK BARNWALL.

HERE it may be very well noted, that the lords, knights, and burgessees, recusants of the kingdom of Ireland, when they saw those two gentlemen, whom they esteemed as chief of their faction, namely, Sir William Talbot and Mr. Thomas Luttrell, committed to prison for their audacity in uttering their opinions concerning the pope; and that also that ancient knight, Sir Patrick Barnwall, was so strictly examined at the council table, upon certain points and parts of his own letters, written to Mr. Christopher Darcy, and others, as before you have heard, out of which we may very well perceive by these discourses, that they began to grow into very fearful and troubled minds, mistrusting that his majesty might conceive some deep and vehement suspicion against them, concerning those causes formerly recited. But howsoever they were troubled

troubled in mind, yet they took to themselves very good courage, and plucking up their spirits, sought for speedy remedy. For having at the same instant a present occasion to complain to the king by petition of their long attendance in England, and of their great expences and charges there, and how that they had not such monies sent them out of Ireland, as was promised them, to defray their charges, by reason of a proclamation published by the lord deputy, inhibiting such collection of money, as was imposed upon the inhabitants of Ireland by the jesuits and seminary priests.

Now in all haste a petition was framed to that effect, and in the latter end thereof was inserted a discourse of their solemn protestations concerning their opinions of the pope, and of their loyalty, fidelity, and dutiful obedience to his majesty, in a very submissive manner, as here doth follow, according to the original.

To the king's most excellent majesty.

The humble petition of the lords and others of
the kingdom of Ireland.

May it please your highness,

YOUR petitioners having so long expected your gracious pleasure and resolution concerning the general affairs of their complaints, as their means is altogether spent, and the supply of their wants become hopeless, by means of
a pro-

a proclamation lately proclaimed in your majesty's realm of Ireland, straightly inhibiting any collection, or voluntary contribution to be levied or sent to defray their necessary charges towards the attendance of your princely pleasure, as by the tenor of the said proclamation extant to be seen, appeareth; which courses enforce your petitioners beyond all willingness to importune your royal majesty to vouchsafe to speedy a dispatch, as the necessity of their wants greatly urgeth. And further, to be pleased out of your matchless clemency, to accept your petitioners unfeigned protestation of their bounden fidelity and loyalty to your highness, which freely proceedeth from undoubted true hearts, without equivocation or mental reservation, that neither the pope, nor any other potentate whatsoever, hath authority to put your highness from the crown, deprive you of your kingdoms, or to commit so horrible an act, as to the authority or licence, to bereave your sacred majesty of your life, which we ever held and do hold most odious to be thought of or spoken: for the defence whereof your petitioners lives, lands, and goods, shall be always ready, as becometh true subjects, wherein we are assured your majesty's poor subject William Talbot, now a close prisoner in the Tower, will join, the confidence of whose unfeigned thoughts therein moveth us to prostrate ourselves at your majesty's feet, humbly desiring a commiseration of his restraint, with a favourable construction of our sincerity and faithful intents; and your petitioners shall incessantly pray

pray

pray for your highness's reign over your kingdoms, with increase of felicity long to continue.

THERE was not any speedy answer made to this petition, by reason his majesty was not then at leisure. But there remaineth yet to be set down another petition, which the recusant lords exhibited to the king against the lord deputy, whereunto were annexed many articles of abuses and grievances ; which petition, together with the articles of abuses, were sent over into Ireland, to the lord deputy, who speedily answered every several article, as it will appear in the subsequent discourses.

To the king's most excellent majesty.

The humble petition of the lords, knights, and others, of his highness's realm of Ireland, now attending his majesty here, as agents in the behalf of themselves, and others his highness's subjects of that kingdom, by whom they are authorized.

MAY it please your most excellent majesty, according to our bounden duty to your highness, and the instructions given us, we have presumed to offer to your majesty's most gracious consideration, a brief relation of divers great enormities and pressures, which for several years past, your highness's subjects of that kingdom, did, and yet do bear, whereof, if your majesty shall make any doubt, we humbly beseech your highness to appoint some indifferent commissioners

commissioners to examine the relations in particular, and finding the same to be true (as without doubt they are) that your highness will be graciously pleased to settle a course, when time and occasion shall serve, for remedy of those grievances and disorders, whereby your poor subjects of that kingdom may enjoy some part of those blessings, which God hath abundantly cast upon other of your highness's dominions, during your majesty's most prosperous reign. And now that your petitioners do attend only your majesty's resolution, touching the causes of parliament, that your highness will be graciously pleased to dispatch them with that favour and clemency, which best befits so mighty a monarch, and is so much expected and desired by your majesty's said humble subjects of that kingdom, as they shall continually pray, &c.

Divers disorders in the kingdom of Ireland, committed and done by martial men.

THE great extortion of soldiers, by their continual ranging, and thorough faring in the country, taking up meat, and drink, and lodging, without giving any thing for it, and not content with such provisions as the poor inhabitants are able to afford; they exact also money from them at excessive rates, during all which time of the soldiers being in the country, the commanders and captains receive the soldiers pay, without any ease or discharge to your majesty's treasure.

The

The pretences whereupon they take occasion to go abroad in this manner commonly, are these hereafter mentioned, or the like.

1. TO levy your majesty's rents and compositions, which ought to be taken up by the sheriffs and collectors appointed for that purpose, who may do it without interruption, and do always exact and take allowance from the country for levying the same.

2. UNDER pretence to set forward the building of churches, bridges, &c. things, which without such extraordinary course, might be effected by the ordinary means in such cases; and though the country have been put to infinite charges, for these buildings of churches, and the parishioners for the most part, have performed their duties in building their proportions, yet are the churches in no good case, the principal parts of them, which ought to be builded upon the charges of the vicars and parsons, remaining for the most part ruinous and unrepared.

3. UPON colour of seeking for run-away soldiers, for removing of prisoners from one goal, and from one county to another, which in this peaceable time, without danger, might be performed by the sheriff and his officers.

4. FOR the benefit and continuance of those which have martial law given them, who do range from one place to another, to the intolerable charge and trouble of the subjects; whereas, now in this peaceable time, martial law needeth

needeth not to be exercised ; but every offender should be tried by the laws of the realm, whereby justice may have its due course, and the accessaries of felons might be brought to their trials and condemnation, whereof they are discharged, when the principal is executed by martial law ; by means whereof, your majesty loseth the benefit, which the law would give to your highness, by the forfeiture of goods and lands of the principals and accessaries. Besides, it is a thing dangerous to the subjects, that this power is given in this quiet time to private men, who upon malice or corruption may take away a man's life without trial.

5. SOLDIERS do also pass from their garrison into the country, upon colour of convoys-service, and upon divers other pretences, which either are needless, or might be otherwise by ordinary means accomplished. Neither do those soldiers take the shortest way to the place where their occasions do lie, neither will they travel by the day any reasonable journey, but do fetch about long circuits, and linger the time of purpose to benefit themselves by extortions, the burdens of which extortions are so heavy, as the inhabitants of divers parishes and villages are fain to buy their ease with sums of money given to the soldiers to pass them over, and to lie upon others.

6. THE poor subjects that feel these grievances, have in a manner left off to complain, as well for fear of the soldiers, as also for that upon their complaints heretofore, they have had little redress.

redress. Besides, they are more discouraged, seeing so many captains and commanders of late made counsellors of state; and as for the punishment provided by the laws of the realm, for extortion and abuses committed by soldiers, sheriffs, and others, and for those that be actors therein, the subjects have as little hope of relief thereby, for that pardons are commonly granted, and sometimes the proceedings against them, and those that be actors therein, are stayed and forborne to be prosecuted, as well through the fear the jurors do conceive of the soldiers, as otherwise. Neither is that proceeding of Sir John Davis, the attorney general, to be forgotten, having taken, and doth draw from the file the record of an indictment presented against a collector, for cessing of soldiers unlawfully, as a case not meet to be prosecuted.

7. WHEREAS also, there is a composition granted within that kingdom, of great sums of money to your majesty, in lieu of (among other things) all country charges, as cesss of soldiers, and other such kind of impositions, as were formerly exacted of the country for provisions of the lord deputy's house, horses, and other such like things; which sums of money to your majesty are duly paid by the subjects, yet this composition is not observed unto them; for there are divers breaches thereof made, by the cessing of soldiers, both foot and horse, as aforesaid, plotting of hay and oats upon the country, for the provision of horse, for not delivering whereof,

the soldiers are placed and cessed upon the inhabitants, taking money at excessive rates for themselves and horses, and for the hay aforesaid.

8. DIVERS general hostings and risings out of late years since the wars ended, set forth, although the country was so quiet, as there needed no army for passing through the same; for which general hostings, although there were not in the army above 6 or 700 men, yet the English pale, being but 5 shires, was charged with 1500 carriage horses, with their leaders, or thereabouts, being as great a proportion as was required for the whole army, when the same was at the number of 18000, or more; and although a few horses sufficed for the carriages of that small army, yet the subjects were driven to pay the residue of the carriage horses (which was not used) great sums of money, to their great loss and impoverishment, whereby your highness received no benefit.

9. IN the provincial government of Conaught there are taken up for the vice president, beeves, mutton, and pork, and other cates, without paying the value of them as they are worth, which is contrary to the composition aforesaid.

10. IN the northern countries, the sheriffs, governors, marshals, and others, do take for permitting the inhabitants to use their Irish and short ploughs, after the rate of 10s. by the year for every plough, which is now come to be an exact revenue of extraordinary great value to those officers, to the great grief and impoverishment

rishment of the people, who have neither the skill nor means to use other ploughs; and until in those places the people were of more ability, this might be forborne, there being no law against that kind of ploughing.

II. **I**N some of these remote countries, likewise, the sheriffs do exact and take up quarterly upon every pole or take of land, which is 50 or 60 acres, certain money for the diet and lodging of themselves, their servants and officers, besides the cessing of their horses upon the inhabitants of that country, which is expressly forbidden by the laws; and this exacted charge now amounteth to a revenue of value to those officers, a charge to the inhabitants, and no benefit to your highness.

Disorders and abuses in the civil government.

1. **M**ANY causes between party and party, which are properly determinable by the ordinary course of law, are decided at the council table, and the courses of common law, and execution of judgment, sometimes stayed, by warrant from thence, which is contrary to express laws and statutes made in that kingdom. And in deciding of such causes at the council table, the same being put to voice (as the course there is) the martial men (being the greatest number) having lesser skill, may over-rule the judges in law matters.

2. **I**N trial of criminal causes, and men's lives (which the law doth much favour) the jurors are

ordinarily threatened by your majesty's council at law to be brought into the star chamber, insomuch, as it is great danger for any innocent man, if he be accused upon malice, or upon light ground of suspicion, the jurors being terrified through fear of imprisonment, of loss of their ears, and of their goods, may condemn him, and the rather, for that it is an opinion publickly delivered and maintained by the lord chief baron in the star chamber, that upon proof or evidence given by witnesses, the jurors are bound to go according to that, though it were contrary to their precise knowledge.

3. AT the assizes and sessions, likewise abroad, into the country, and specially where your highness's council at law are employed as judges, the jurors are commonly bound over to appear in the star chamber, where they are not allowed council to speak for them; so that most of them do rather chuse to endure the penalty or loss of issues, than to appear on juries, the course held with them is so strict and severe.

4. DIVERS *custodiams*, injunctions, and seizures, are granted from the court of exchequer, to put men out of their houses and lands, for not suing out of their liveries or *ouster le maines*, from which they are barred, after compounding and paying for the same, upon pretence that they do not swear the oath of supremacy.

5. DIVERS processes issue out of that court for levying great sums of money for your majesty, where none is due, and that done by clerks

clerks of that court, to get themselves fees by bringing men into the court to answer, where they must pay excessively, though your majesty get nothing.

6. **THE** lords, gentlemen, and freeholders, are generally brought in by process into the exchequer; also, for respect of homage, for which they are driven to pay more than ever was demanded heretofore, they being forced to pay severally for every small portion they hold, and sometimes, for the several parcels of the same manor; and yet the charter fees are greater than your majesty's demands in such cases; nor can we learn that a true account is made to your majesty for these monies, for respect of homage, which the clerks do receive, amounting to great sums yearly.

7. **MANY** possessions and inheritances of great antiquity are called in question, upon idle sleeping records, at the prosecution of some private men, for their own private gain, passing letters patent thereupon, without any benefit of moment to your majesty.

8. **THE** incumbrance impoverishing the whole kingdom, through the heavy charge sustained by the subjects, by reason of intrusions, for not having pardons of alienations, liveries, or *ouster le maines*, the benefit whereof, for the most part, is granted to mean men, and to some the intrusions of whole counties granted entirely; and many of those intrusions are granted upon very old records, contrary to the

records of later times. And although some have been forced to compound for those intrusions, and have paid great sums of money according to the agreement, yet they have been driven to compound with others a second time ; and after all those custodiams granted, and injunctions awarded, to put them out of possession of their dwelling houses for the same matter.

9. **WARDSHIPS** are commonly granted to mean men, and meer strangers to the heirs, that are in your majesty's ward, whereby the wards are neither well nurtured, bred nor preferred, and their kindred forbidden from any disposition of them.

10. **VERY** few of the natives of the kingdom are admitted to any judicial place or ministerial office, how mean soever, whereby your majesty is put to greater charge, than in former times your highness's predecessors were ; and yet, many places, through insufficiency, ill supplied, and the subjects there much discouraged to follow any course of learning to gain their livelihood in their own country, but are driven to seek relief among foreign nations, which breeds jealous conceits of their loyalty. Neither can it be without great inconvenience in that kingdom, in that the judges, being unacquainted with the Irish language, do not understand the party or witness that speak no English, whereby they cannot so well judge of the cause.

11. **MANY** men having no freehold, and very little other means, made sheriffs of counties,
and

and holding the same divers years together, contrary to the laws, who for their own private advantage do appoint under them inferior ministers of little reputation, and some of small honesty, who seek by pilling and polling the poor subject, to repair their own estates, few of them being of their own means able to discharge their accounts, and many of them, if they should be called in question for the practices and false returns to the parliament, are not able to satisfy your majesty's fine, or the parties account.

12. THE officers and clerks of courts through their greediness taking excessive fees, far exceeding that was accustomed in that kingdom to be taken; insomuch that they have made men weary of prosecuting their law causes, and suitors by these means greatly impoverished.

13. Many indirect and cautelous practices used by some escheators and their deputies, in the taking and returning of offices; sometimes contrary to the dominicals or finding of the jurors; sometimes also keeping the offices long in their hands before they be returned, and then returning of them secretly, without the knowledge of the party, to the great prejudice of the subject.

14. THE fines and amerciaments of jurors, for not appearing in the courts, are granted for a small rent to one Weston, who dealing with the clerk of the assize or sessions, or other clerks that do follow the judges of assize, the amercia-

ments and fines for not appearing, are grown far more heavy than in times past, when it was in your majesty's hands; and now there is little or no mitigation of any fine imposed, as there was wont to be, which doth much grieve the subjects; and it is a great prejudice to your highness to part with a royalty of so great value, for so small consideration.

15. THE subjects are much vexed by process out of courts, for making *aqua vitae*, tanning of leather, and other things, though prohibited by statute, yet not much hurtful to the commonwealth at this present; which process is procured by men, to whom grants are made to license only whom they please, whereby they make to themselves great revenue, with small benefit to your majesty, and a great discouragement to artificers and others, that were better use those trades than live idly.

16. WHEREAS some statutes were heretofore made, when the kingdom of Ireland was not thoroughly inhabited or manured, against the transporting of corn and other commodities out of that kingdom; to dispense with those grants are now made to particular persons, who make their private gain thereof, giving licence only to such as would compound with them for the same: and now that there is a general scarcity of coin in that kingdom, and that the country is thoroughly manured, and so great store of corn, if now it will please your majesty to give way that these statute laws be suspended for a time, that traffick

traffick may be the more free and open, by transporting the commodities of the country, and bringing in coin thereunto, it will be a means to raise your highness's revenues and customs, and better the estate of the subjects there.

17. ESCHEATED lands of great value for the benefit of the surveyors and great men, surveyed at very low rates, whereby your highness's revenues are impaired, and divers, who had not one foot of land in that kingdom, within these 10 years, are now compared to 3 or 4 of the ancient nobility for revenues.

18. THE statute made the 2d of Elizabeth, laying a penalty of 12 d. every Sunday and holiday, for not going to church, is put strictly in execution in many places; but the said money, being a great matter of value over the whole kingdom, is not employed upon the poor, according to the statute, but brought into the hands of the clerks of those courts; but how they dispose it, the parishioners or church-wardens know not.

MANY other grievances than be here expressed, are endured by your highness's subjects of that poor kingdom; neither is it to be passed over in silence, that the ancient nobility of the kingdom are, for the most part, not only debarred from publick employments, but also are vile, pended, and set at nought, disgraced by those that are newly raised to honour, place, and means, who might very well content themselves with the greatness of your highness's bounty,
and

and not derogate from others, whose ancestors and themselves have long deserved, with the price of their blood, those titles and estates, which are descended to them of antiquity.

To the king's most excellent majesty.

The submissive answer of your majesty's deputy of Ireland, in his own name, and the names of your princely and learned council, and of other your highness's officers, scandalized in a petition preferred by the reverend lords, and others now there, in the behalf of themselves, and others, your highness's subjects of this kingdom, by whom (if their own tales be true) they are not authorized.

FIRST, I do humbly pray, that the authority and instructions, which they avouch as the ground of their complaints, may be called for and perused. Next, that your majesty will be graciously pleased (if you so think it fit) to appoint indifferent commissioners, to examine what by them is suggested; and their complaints being found true, that the offenders receive condign punishment; if their tales prove forged, that they may taste of the bitter cup which they have prepared for others.

THOSE lords and gentlemen did never complain of those aggrievances here, whereby notice might be taken of the soldiers disorders; but out of love to have the discipline of war observed, I have lodged the troops of horse, and companies

panies of foot, in several garrisons proper, and most convenient to answer your majesty's service upon all occasions, from which no officer or soldier may depart without licence of the captain; if he do range the country, taking meat, drink, and money, as is alledged, he is to die for it by our law; and so much have I often made known to the justices of peace and other officers, and subjects, and have withal required them to give no meat, drink, or lodging to such a soldier, but to apprehend him or them, and to bring or send them to their captains, or to the marshal of the army, who would punish the offence according to the quality of it. And whereas it is said, that the captains make profit of the soldiers extortions, I conceive it to be an unjust taxation; for I cannot yet think that any of them will permit his soldier to oppress the meanest subject, nor that they are so base as to affect such unjust gains; and therefore, I humbly pray, that they be enjoined to descend to particulars, that the accused may be called to answer; as they accuse all, so in the mean time I excuse none.

I. THE soldiers are never sent to collect the king's rents, but when the composition is not paid within a convenient time after it is due. They are indeed sent abroad by warrant, in small parties of 6, 8, or 10, in a barony, to quicken the collection of it, which is never done but upon the request of the treasurer, or his ministers, and were it to be brought in by the
ordinary

ordinary writ of the exchequer, as the rents are, they would not call for the soldiers; but the composition being given in lieu of cess, it is proper to be levied by the soldier, if it be not paid in due time.

2. For the bridges there was never horse or foot sent to quicken that work: but for the churches, which I found all ruinous, and many utterly defaced (a spectacle grievous to the sight of all good christians) I gave sundry directions for the rebuilding and repairing of them; and finding that words prevailed not, I sent a few horse to lie upon the inhabitants of the parishes, where such defects were, until they gave bonds to perform those works, for which a year's time was always given, and in many places more, and upon giving bonds they were presently removed. This was done more than three years since, and would never have been spoken of (the harm was so unfit) and their priests commending the work, but that they wanted matter wherewith to fill their paper; and if the chancels be not repaired, the fault is in the noblemen and gentlemen, who have impropriations, as well as in the parsons and vicars: but this I will redress with expedition.

3. This is a meer suggestion; for soldiers run not now from their colours, as in times past, and these complainants understand not that we are daily importuned to entertain men, not to discharge them. But they are now and then sent indeed to convoy prisoners, being priests or other
notable

notable malefactors, without which the sheriffs officers would perhaps suffer them to escape, or they would be rescued from them by the country, as experience hath taught us.

4. No provost martial hath been sent abroad with troops of men in execution of his office these 6 years past (as I take it) except it were in the province of Munster, to scour and rid the sea-coasts of pirates. Neither have there been three offenders executed in Leinster, and the pale by martial law for these 6 years (pirates excepted) for which I have reprov'd the provosts, knowing it proceeds from their negligence in not executing their office according to the trust reposed in them, not from the reformation of vile rogues, rhimers, and wanderers, which are indeed the oppressors of the people, and not the soldier ; but of these they complain not, for that they do at the custom of the country ; and here it is to be understood, that a provost martial cannot execute by martial law any offender, who is worth ten pounds in goods, or hath forty shillings in freehold ; by which it may appear that this complaint is needless.

5. I know not whom they accuse by this article for convoys : we send none in this province, but for the guard of prisoners, as aforesaid ; and when they are sent for that service, they are directed by their warrants to march ten miles a day in the direct way to the place which they are sent, and are likewise in the warrant forbidden to oppress and extort upon the people, and

to content themselves with such meat and drink as they can afford, and for the same to pay ready money, or to give a ticket. If the soldiers have misdemeaned themselves to the contrary, upon complaint, the wrong should have been redressed.

6. I WISH them to declare to whom they have complained with so unprofitable success, and what soldiers have given them cause of fear ; if they do not, I humbly pray that this may be taken for a forged surmise to scandalize the commanders, and make the soldiers more odious ; they seem to be offended that so many captains and commanders are of late made counsellors of state ; to this I must answer, that none are admitted to that honour, but by your majesty's letters directing and requiring it ; and those you have chosen are so just and honourable, that none would be more severe in punishing the soldiers offences, if they were complained of and prosecuted ; and I think they cannot produce any such to have been pardoned since my time : but those are fictions forged to traduce the judgment and justice of the state, which they would quite abolish, if it lay in their power. The tale told of your majesty's attorney, is ill grounded ; for he did not take the indictment from the file, but it remains of record still ; and the truth is, that a wrangling clerk having a small parcel of chargeable land in the country, did labour with the cessor or collector, to free it from the composition, and
through

through fear of soldiers, who laying a soldier upon him, contrary to expectation, was by the clerk indicted in the king's bench upon an old statute made 200 years past, against hobblers, who were at that time common oppressors of the country: this he did, notwithstanding the collector had my warrant to lodge the men in the thorough-fare, towards the north (some forces being at that time drawn that way, to attend me in a journey thither, upon your majesty's special directions) this is well known to Sir Humphry Winche, who was then chief justice of your majesty's chief bench here.

7. I HAVE now served your majesty more than 8 years, in the place of your deputy here, and for what I know, no subject can charge my officers with the taking up of the value of a hen for my provisions wrongfully, or contrary to the composition established; if he can, I will hear him, and proving his allegation, I will give him treble satisfaction, and punish the offender. Neither did I ever cesse a horse of my own upon them, or take up hay or oats for them. Neither hath there been any horse or foot of the army cessed upon them, other than as before hath been alledged, for the thorough-fare, which is not properly deemed a cefs, it being allowed by the composition upon occasion of service, which those complainants perhaps understand not: true it is, that hay being exceeding scarce here the last winter, there were some 50 loads plotted upon the whole county of Dublin, to feed a small
troop

troop of horse, that were lodged in this city for your majesty's service, whereof, not past 24 loads were brought in, for which ready money was paid. This must have been done, or the horse laid upon the country, which would be far more burthensome to them; for to suffer them to starve I might not.

8. THERE have been but two general hostings or ridings out, these 8 years, notwithstanding the word (divers) could not be omitted, the one upon O'Dougharty's revolt; the other since, when we had from the country only some garrans free for 40 days, towards the easing of your majesty's charge, but far short of the number shamelessly mentioned. If this general hosting be so burthensome to them, I wish it would please your majesty to take a composition in lieu thereof. For when it is called for, it is, I confess, a great charge to the country, and smally available to your majesty's service; and if they will not compound, and render a good round rent, then to make it annual, until they do compound. For it is as due from them, as the rents they are to pay, and by answering to your hosting or rising out the noblemen and principal gentlemen, do enjoy great privileges and immunities.

9. THE lords presidents and vice presidents are now all there, to whom I leave it to answer this objection, of which none have complained unto me.

10. THERE is nothing taken by these officers, for permitting the people to use the short ploughs,

ploughs, as is alledged: but the truth is, that upon consideration had of the barbarous custom of drawing with their beasts by the rumps, whereby many hundreds are killed and spoiled yearly; a proclamation was published about 7 years since, prohibiting that custom, with a penalty, which was a garran out of every plough so drawn; and if they drew their short ploughs with traces of ropes or withes, nothing is to be demanded. But this penalty was never levied according to the proclamation; but seeing the people had no care to alter that uncivil and disprofitable custom, thereunto animated, as it seems, by the justification of the complainants, to keep them still barbarous, I gave order to the sheriffs and other officers about two years since, to take ten shillings out of every plough so drawn, which in some places was done accordingly. The money so levied was for the most part bestowed upon the erecting of bridges, building of churches, mending of ways, and the like good works, as to those complainants will be visible, if they will travel into Ulster. And if the people amend not the custom, I wish the fine may be increased, or at least continued, until they mend it; albeit, I am well assured it lies heavier upon my own tenants, than all others that complain, which they have done without warrant; for none of them have complained thereof to them; for it seems they want matter, when they meddle with what so smally appertains to them.

II. SURE I am this exaction is not general, and this is the first time I heard of it. I will examine it, and take order for the redress and punishment of the offenders, if there shall be found cause.

It is not my purpose in what I have said to excuse the soldiers faults, but to declare how ready I am to correct and punish them, when they are justly proved, being grieved only with the irregular proceedings of those lords and gentlemen, who have presumed to trouble your majesty with these informations before they had first complained unto me, and made experience of my justice in this thing. That the soldiers do now and then lye upon the country three or four nights in a county, when they are called by warrant from their garrisons to attend your majesty's service abroad, is not denied; but the words (continually ranging and thorough fare) in the front of their complaint might well have been omitted; for I do confidently affirm it, that there was not a troop of horse or company of foot laid by warrant upon the country within the province of Leinster and the pale for these twelve months last past, but one hundred foot coming and returning to and from their garrisons about the beginning and end of the parliament; and they by my warrant were not to stay upon the country coming and returning above fourteen days; and for the ill meat and worse lodging, he finds the soldier is to pay 5*d.* a day out of his poor means; for which if ready money be not paid,

paid, a ticket is given by the chief officer according to the contents of the warrants, and the ticket being brought to the treasurer, defalcation is made at the half years end, and the money defalked is paid over by the treasurer to the cessor or collector, who are men of their own choice and nomination; if they pay it not over to the country (as I fear they do not) they deceive the trust reposed in them, and upon complaint they should be forced thereunto. It may be (and I believe it) that when the husbandman hath not to afford him competent meat and drink, he gives the soldiers sometimes 6*d.* 9*d.* or 12*d.* a meal, which I think he doth willingly, for that he complains not of it. Here is to be understood, that the soldier comes not upon the country but by warrant, which (as I say) hath not been passed once these twelve months, and at no time heretofore but when they have been drawn out for service, which hath been seldom since my time; and yet no captain can give a warrant but upon special service requiring expedition; and if a soldier go without warrant, he is to die for it: so as it appears, that what the complainants have herein said is but recrimination, and by aggravating the trespass of the soldier, to make him and all men of war (as much as in them lies) odious to your majesty, or at least seem unprofitable servants; but out of long experience I speak it, you are no longer master of the kingdom of Ireland than you have such men to serve you. But by this the

ingratitude of those complainants doth appear ; for they were the men that kept them and their estates (if they had not underhand packings with the rebels) secure at all times. It is well known, that the soldiers are offensive in the country where they march in all parts of Christendom, and therefore their tale in this may have the more credit ; but I say they are the least offensive now in Ireland, and the most severely punished (if their crimes be made known and prosecuted) and shall ever be, whilst I am their general, these mens ingratitude notwithstanding, which I humbly pray your majesty to believe, for whose health and happiness I will ever truly pray, without any vain vocation or mental reservation whatsoever.

The lord deputy's answer to the abuses in the
civil government.

Apostiles to the articles preferred by the recusants of Ireland to his majesty, touching the disorders and abuses pretended to be in the civil government.

TH E R E are indeed some petitions preferred at the council table, which are fitter for other courts ; but the nature of those petitions doth not appear 'till the same be read at your board, and then they are commonly dismissed to the proper courts of justice, unless the petitioners be very poor, or meer Irish, dwelling

ling in remote places, or else the petitions be exhibited in the vacation time, when the courts of law be not open, and the necessity of the cause require present remedy, or otherwise be recommended from his majesty, or the lords of the council in England.

THE course of the common law is very seldom stayed by order from the table, but when such stay is made, it is done either in case of great equity, or upon some reason of state.

WHERE any question of law doth arise at the table, the judges, who are of the privy council, do always give rule in such cases; neither hath it ever been seen that the martial men did deliver their opinions touching points in law, but only in matters of fact; and therefore this imagination, that the martial men may over-rule the judges in law matters is frivolous and idle.

2. THE jurors of this kingdom being (for the most part) papists, are so misled by their priests, as they will seldom find against any of their own religion in criminal causes, though the evidence be ever so pregnant and direct; and therefore in trials upon such causes, after they have brought in their negative verdict, contrary to direct and plain evidence in the affirmative, then and not before, the king's council have sometimes told them, that they did deserve to be brought into the star chamber; and divers times upon the motion of the king's council, such juries have been bound over into the star chamber, where they have been censured; and many

times also in cases of inquiry for the king, when the inquest have brought in a presentment of *ignoramus*, contrary to express records, and other direct evidence, the king's council have advised them to consider better of their evidence, and find according to the same, otherwise they should answer their contempt in the star chamber, which is the proper court to punish jurors, that will not find for the king upon good evidence; wherein they did no more than they ought to do by the duties of their place. And touching the lord chief baron's opinion delivered in the star chamber, we conceive it was thus, that jurors ought always to find according to their evidence; and that it is not sufficient for them to say, they do not believe the witnesses, or that some of them know the contrary (which are their common excuses in those cases) unless they can shew some precise cause of knowledge to the contrary, which might satisfy the court of the truth of their verdict.

3. THE justices of assize for the space of two or three years past have bound over divers juries to the star chamber for their obstinate refusing to present notorious recusants upon the testimony of the witnesses, that they come not to church according to the law, and whom the jurors themselves knew to be recusants; all which jurors have been punished in the star chamber by fine and imprisonment; which hath brought forth this effect: yet whereas before by the persuasion of the priests, there was a general combination
throughout

throughout the realm, that no recusants should be presented, and they do now present recusants in every county of the kingdom, without any scruple or contradiction. It is true that those jurors censured in the star chamber had no council allowed them, for they were proceeded against *ore tenus*, upon their own confession.

AND whereas they especially complain of the king's warned council for binding over of those jurors, the attorney and solicitor have seldom gone any circuit for the space of three years last past, and within that time they never bound over any, so that the allegation doth contain more malice than truth.

4. BY the stat. of 2 Eliz. c. 1. In this kingdom it is ordained, that every person suing livery or *ouster le maynes*, shall before his livery or *ouster le mayne* sued forth and allowed, take the oath of supremacy. This is a positive law standing in force at this day, and made by their fathers that now complain; and therefore they being obstinate recusants are not permitted to sue forth their liveries under the great seal until they take the oath; and so they continue intruders upon the king's possession; for which intrusion they are justly sued in the exchequer, and the damage they suffer is by their own wilful default and contempt of the law.

5. THERE are no processes issued out of the court, but where monies appear to be due to his majesty by a good ground of the charge thereof upon record; and the same course

is held in issuing and ceasing of process, as is and hath been used in the exchequer of England and in this kingdom of all ancient times, and hath been directed by divers authentick orders and instructions sent hither, as well in the time of the late queen Elizabeth under the great seal of England, and under the hands of the then lord treasurer, and the chief officers of the exchequer there; as also in the reigns of king H. 8. and queen Mary, which have been commanded to be executed by your highness's instructions and letters, and to set forth a right course of execution of your offices in that court, according to the course of England; and if any process do issue where no money is due (as it very seldom happeneth) it is in the default of the debtor, who upon his payment made doth not pursue his discharge according to the said ancient usage, the course of England, and the instructions aforesaid; and to the end that he might not be ignorant thereof, there is an order grounded upon the said instructions made by the court, and fair engrossed in a table, and set in a publick place in the court for his direction; and it cannot stand with the duty of the officer to omit any thing out of process, being charged upon a good ground, and not appearing to be paid to his majesty, or otherwise discharged.

6. THIS matter concerning the paying of several fines by one tenant for respiting his homage for several manors, towns, and parcels of land held by him of his majesty, was, after
long

long debate, upon view of the records of the court, finally ordered and decreed by Sir Humphry Winche, kt. late lord chief baron, that several persons holding several parcels of his majesty, shall pay for respite of homge for every township 20*d.* sterling, and for every manor 40*d.* sterling, and that such as hold several houses, acres, or parcels of land, which are not manors nor townships shall pay for every 120 acres of land 20*d.* sterling, and no more, and according to that rate and proportion of a greater or lesser number of acres, and for every house without ground 4*d.* sterling, or if cottages or farm-houses be in or upon the lands, then to be returned as part of the lands, and no fine to be paid for them solely. None pay above those rates, but very many pay under these rates. None pay a fine for the respite of homage for a parcel of a manor, and also for the manor itself, unless the parcel be severed by alienation from the manor, and so they be distinct parcels or tenants, the one of that parcel, the other of the manor; and therefore it is used in the exchequer here; if any make affidavit before the barons, that such a town, hamlet or parcel of land, or parcel of a manor, he paying for the manor, pays nothing for the town, hamlet, or parcel of land, but hath it included in his acquittance as parcel of the manor. The clerks fees for it are now no more than have been ever accustomed to be here during man's memory, viz. for every particular acquittance, entry of the same,

same, and making records thereof, 2 s. sterling, *per ann.* which in some few particulars is happily above his majesty's fine, but in all the rest far under his majesty's fine: and because the labours of the said business touching the small fines and great fines are all equal to the treasurer's remembrancer, and as much pains undergone in the one as the other, therefore his fee is equal for both. Since the 13th of July 1609 unto the 10th of March 1612, the treasurer's remembrancer hath made a true account of those monies for respite of homage received by him, which he paid over to his majesty's vice treasurer, *viz.* the 27th of February 1609, 35 *l.* 20 *d.* harps; the 15th day of May, 1610, and the 8th February, 1610, 48 *l.* 9 s. 4 *d.* harps; the 25th of June, 1611, 76 *l.* 22 *d.* harps; the 16th of February, 87 *l.* 8 s. 4 *d.* harps; the 21st of December, 1612, 22 *l.* 11 *d.* harps; and the 20th March, 1612, 79 *l.* 5 s. 10 *d.* harps.

7. MUCH land hath been concealed and unjustly detained from the crown by the confusion and troubles of former times, and by the negligence and corruption of officers, whereunto his majesty's title hath been discovered of late by the view of records, which have been better looked into now than in times past, and thereupon some leases have been granted unto such persons as the deputy thought fit; and at whose charge and solicitation his majesty's title might be prosecuted, without wrong done to any person; whereby divers lands have been reduced to
the

the crown, which have made no small addition to his majesty's revenue, wherein his majesty's officers have done but their duties, and the intruders have been most favourably dealt withal for the mesne profits.

8. THE king's officers, since the beginning of his majesty's reign, upon view of the records of former times, have found many tenures of the crown *in capite*, and by knights service to have been suppressed by reason of false inquisitions returned of latter times, finding the same to be held of common persons, contrary to many fair records of ancient times, without shewing any alteration of the former tenures. Hereupon, for reviving of his majesty's tenures, it hath been thought fit, to grant part of the benefit of the instructions to such as would undertake to present the same for the king, always reserving a third or fourth part to his majesty. By this means very many tenures have been revived, and divers sums of money answered to his majesty, and the intruders have been so favourably dealt withal, as never subjects have been in the like case. And as touching the second compositions complained of, themselves by their negligence have caused the same; for that they would not sue forth their liveries after the tenures have been expressly found by new offices according to the ancient records.

9. His majesty's wards are granted unto such persons as the lord deputy doth think fit, who many times are the near friends of the ward, or
else

else to persons of good worth and quality : and in every grant there is a clause, that the wards shall be brought up in the college near Dublin, in English habits and religion ; which is the ill nurture which these petitioners complain of, and the only cause of their grievance in this point.

10. As many of the natives of this kingdom as do profess the law, and are conformable in religion, and will acknowledge his majesty's supremacy, are advanced to judicial places and offices in this kingdom ; so as there are three judges of the birth of this kingdom, the lord chief justice of the common pleas, the second justice of the king's bench, and one of the barons of the exchequer ; and if the rest professing the laws would conform themselves to his majesty and become capable, they might likewise be preferred to judicial places ; yet they would expect to receive as great good entertainment from the king, as the English judges now have, and so put the crown to the same charge. And whereas they alledge that some places are insufficiently supplied ; it is most certain, that the crown was never so sufficiently served in this kingdom ; neither are any natives of this kingdom so sufficient as be the judges sent out of England, who are likewise more indifferent, in regard they have no kindred or alliance in the country ; neither do they go beyond the seas for want of preferment in a civil course here, for as popish lawyers are suffered to plead and practise, and every popish gentleman of any abilities is made
a justice

a justice of peace; but their children are transported by their popish priests and brought up in seminaries, to the end they may become priests or jesuits, and so maintain superstition and popery, and breed sedition in this kingdom.

11. THERE is no man made a sheriff but hath an estate in the county wherein he is sheriff; and if such as are of better estate be omitted, it is for their recusancy. And if at any time complaint hath been made of their extortions, they have been punished according to law. And touching the returns of this parliament, we know not any false or undue return made, and upon examination, we do verily think all the returns of protestants will fall out to be legal, and without any just exception.

12. THE fees of the clerks of the ordinary courts have been twice examined by the judges, by special direction of the lord deputy, and have been reduced to a far lesser proportion than they were in the time of queen Elizabeth; and if they do now extort more than they ought, upon complaint made (these petitioners do well know) they shall have remedy here; and therefore this complaint is altogether needless.

13. THIS article might more justly have been preferred in former times, than since his majesty came to the crown; for in after times these abuses have been so well reformed, as this complaint is causeless at this time, and is inserted but only to fill up the number; for the petitioners

oners know, that there are many penal laws to punish escheators in this case, and upon the least complaint against them, the parties whom it concerns are righted every day with extraordinary favour.

14. THESE fines and amerciaments of jurors are indeed granted to Mr. Alderman Weston for 21 years, rendering 100*l.* rent *per annum*, by his majesty's special letters, in recompence of great sums of money which he claimed to be due unto him from his majesty; but he now complaineth that he doth not benefit by them; for that those amerciaments and fines are (for the most part remitted or reduced to a very low rate by the judges) so as the last year he did make the king's rent of all he received; and therefore this article is framed against Mr. Weston, the rather (as we conceive) because he is a protestant.

15. THERE is an expresse law against the making of *aqua vitæ*, unless it be by licence of the lord deputy, who (as others his predecessors have done before him) hath granted some licences to such persons who carry that business so discreetly, as hitherto no complaint hath been made here; and therefore we marvel that the first complaint of this kind should be made in England at this time. Besides the making of *aqua vitæ* is restrained by that law, for that it causeth waste of corn, breedeth drunkenness, and enrageth the minds of the people, and therefore it is hurtful to the common wealth, a trade
not

not fit to be so generally used as they would have it. And for tanning of leather, tho' some persons be licensed by the lord deputy to keep tann-houses in corporate-towns or market-towns only, yet no man hath found himself so grieved as to complain of those licences to the lord deputy here, which they should have done before they had troubled his majesty with so mean a matter.

16. CARE hath been already taken by the lord deputy and council for an act of repeal of that old statute made 12 Eliz. 4. restraining transportation of corn, when the price exceed 20*d.* the peck, and for the establishing a new act more agreeable to the present time, which hath been already transmitted into England, considered of there, and sent back hither to be proposed in this parliament. But for some of the other prohibited commodities, there was a grant made in the second year of his majesty's reign unto Sir Edward Blunt, knt. and William Bretten, gent. for 10 years from the date, to transport yearly 1200 packs of linen yarn; and the like grant in reversion thereof for 21 years unto one John West, Esq; both which grants are yet in being. Also the lord deputy in the beginning of his government, being much troubled with complaints of several conveying away of corn and other prohibited wares, out of sundry remote harbours and creeks without entry made, or his majesty's customs paid, and likewise with many important suitors for licences to transport, thought

thought fit to authorize two well deserving men by themselves and their deputies to take a special care of this business in all ports and places in this kingdom, for which by letters patent in the fourth year of his majesty's reign they were allowed to transport a certain proportion of corn, and other prohibited commodities yearly for five years after the commencement of their patent, and afterwards during his majesty's pleasure, paying all his majesty's usual customs due before this statute of restraint, which was 6 *d.* for every barrel of corn ; 12 *d.* upon the pound for their merchandize ; besides 50 *l.* yearly rent. These last patentees do most humbly submit themselves to his majesty's most gracious pleasure, only desiring such proportionable consideration for so much as by warrants of restraint in times of scarcity, or for his majesty's service, they have not been permitted to transport a great part of the said proportion allowed unto them by the said grant, which they are authorized by their patent to transport after the determination of their patent, with a prohibition to all others until their proportions shall be transported.

17. To this article the surveyor general maketh this answer. That there is but one surveyor general in the kingdom, who hath taken care of the passage of his majesty's lands in general, until they come to the commissioners in that case authorized, the kingdom being poor, and scarce able to afford any such officer a maintenance ; insomuch as his majesty lately, upon his complaint

plaint there, encreased his fee ; who being hereunto called says, that he is ready to give account of his actions, and desireth no other than all severe examination, trial, and censure, if it appear he hath made benefit by surveys, other than his ordinary fees, and these seldom fully answered. And saith further, that if comparison be made between surveys of England and the surveys of Ireland, considering the value of the lands, it shall appear they are rather higher in Ireland than in England. Besides, there have no surveys of lands of any moment fallen into his hands, other than the Clandeboys, commanded by his majesty at a special rate ; the county of Leitrim to Teig O Roirke, at or such like, by his majesty's special direction, and other than those of the plantation of Ulster, and the small territories of the county of Wexford. The lands of Ulster were rated in England far under the rate of the shires formerly made here, and are yet dear enough to most of the undertakers, as his majesty shall shortly hear, and so of the lands of Wexford. There is now above 400*l.* Irish rated upon those lands, whereas by a late letter (by unjust information obtained) there on the behalf of the natives of those parts, they should not in all have answered 200*l.* sterling. Touching small concealments that sometimes accrue, they are, for the most part, past for the present possessors, natives, whereunto his majesty hath many ways shewed his apprehension ; and therefore his majesty, having no title noto-

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riously declared, that they are easier rated, which is every day avouched, and not done in secret. And the benefit of those kind of lands have for the most part run to the nobility, and others, of this kingdom, as the earl of Kildare, the earl of Thomond, the lord of Delvin, the lord Bourke, and others, by special letters of his majesty ; and some other of merit and place here and there, for whom his majesty writeth, as Sir Henry Brownkard, Sir Oliver Lambert, Sir James Tullerton, Sir John Wakeman, Sir George Thornton, and some others, by his majesty's special letters ; no other great men here having benefit by any like grants of his majesty's lands, save what they have as undertakers in Ulster and Munster.

18. T H E statute of recusants hath of late been put in execution in the county of Dublin more strictly than in any other county, in regard the eyes of all the kingdom are upon it, and attend what course the inhabitants of this county will take, to the end they may follow the same. Howbeit, there hath not been levied upon the recusants of this county within these 12 months last past above 14 *l.* or 15 *l.* or thereabouts ; by reason that most of them that were presented, did chuse rather to come to church, than to pay the penalty of 12 *d.* a Sunday ; upon which conformity all arrears were remitted unto them ; which course, if it be continued in the county, as it is begun, and be prosecuted in like manner in other counties, will bring the most part of

of the kingdom to church, except some few of great estate of living, who are more obstinate than the rest. And touching the monies levied in the county of Dublin, it is indeed left in the hands of the clerk of the crown, by a special order from the lord deputy and council, to be employed in repairing of churches and bridges, and like charitable uses; because the poor of the parishes, who are not yet indicted, are not fit to receive the same, being recusants, and ought to pay the like penalty. But there is not any money levied in any other county that we know of; and therefore there are no such great sums of money received, as the said petitioners do suggest. If the rest of the grievances were of any moment or probable, it is not to be thought they would have failed to express them; for what they have mentioned in their other articles, comes from them like street-news spread about London, where one speaks after another without a certain author. If the ancient nobility fail of employment answerable to their expectations, the king's majesty and the council can best give them the reasons of it: here they are all justices of the peace, which is the greatest employment we can give them in the commonwealth, and this is also done them in favour; for without taking the oath of supremacy, they are not capable of it by law. Their lordships have their due respects given them by us all; but we cannot value those that complain, as they value themselves, capable to govern and sway the

whole kingdom, unless your majesty do so appoint it; and therefore we give them their due honours at all times, and at no time vilipend them, as they term it. Sure we are, that their complaints are vilely penned to traduce the ground and honesty of such as his majesty hath appointed chief ministers under him here. Whom they mean by those newly raised honours, I cannot conceive, unless it be the lord deputy; for his majesty hath given the honour of baron to no other person here. And being so meant, I may in my honest defence say, and that without vain boasting, or the thought of an ambitious man, I hope, that as I acknowledge to have received my honour out of meer grace and favour from my master; so, if desert might challenge it, I have spent more days, and lost more blood in honourable service done to the crown, than they that framed these articles, or any other their ancestors, from whom their honours are descended.

I N the summer of this year, captain Beverly Newcomen, being at sea in a pinnace of his own, but set forth at the king's charges, chanced to meet certain pirates upon the coast of Ireland, about a place called Broad-Haven, who had lately spoiled a bark of Barnstable, and this captain took them, and brought them up to Dublin. The chief of the pirates were Robert Jackson, John King, and William O Kelly. These three were arraigned before Sir Adam Loftus the elder, who

who was judge of the admiralty, and being condemned to die, were executed on the 29th of July 1613. Likewise the same summer, William King and William Bedford of the Town of Wexford, with other their consorts, went to sea in action of piracy, and in 24 days took the spoil of 15 ships, barks, and boats, for which they were apprehended, arraigned, and judged to die, by the same judge Sir Adam Loftus, and were executed in the same town of Wexford, upon the 19th day of August in the year *ut supra*.

THESE precedent and subsequent discourses, do give us good occasion to say, that the lords, knights, citizens, and burgessees, recusants of Ireland, rejoiced not a little to hear, that it pleased the king's most excellent majesty, according to their often and humble requests, to elect and choose certain commissioners, who should go over to Ireland, there to examine the original causes of their complaints and grievances; in which joy and jollity, as though all things should have been pack-on-the-hoop on their sides, they devised a letter to send over into Ireland to the rest of their faction, recusants there, the copy of which doth here immediately follow *verbatim*, according to the original.

A letter from the recusant lords in England, and other the agents of Ireland, to the rest in Ireland, brought over by the lord Killeene and Sir Christopher Plunket, thus directed :

To the right honourable, and our worthy loving friends, the lords, knights, citizens, and burgesſes, who employed us to the king's moſt moſt excellent majeſty. Ireland.

AFTER our very hearty commendations. In your general employments, touching the differences ariſing in parliament, and the grievances of that country, we could not ſince our arrival in England, give that full contentment to your deſires, which the opportunity of theſe bearers, and the neceſſity of the cauſe doth offer at this preſent time; by means whereof we are invited to make ſome brief relation of our proceedings. It is not unknown, we hope, to moſt of you, how graciouſly his majeſty received us in the beginning, and for our better encouragement at ſeveral times vouchſafed us his royal preſence, in preſenting our expoſtulations to his princely audience, and was benignly pleaſed to deliver, that our humble appeal to his ſacred perſon, was reputed ſatisfaction ſufficient to expiate the offence that might be enforced againſt us, and that his mercy ſhould qualify the rigour of his juſtice; and to every particular his highneſs interpoſed his own diſcourſe with the weight of judgment and indifferency, as beſitted the majeſty of ſo mighty a prince, who in all his rare endowments doth make pregnant demonſtration of the greateſt excellency that ever was ſeen in any king; and for a ſummary report

port of his eminent virtues he is beyond the breeding of princes.

THE matters then debated before his majesty, were the passages of the parliament, which were fully conceived, and judiciously digested by his highness; and thereby perceiving how attentive his majesty was to the grievances of that his kingdom, we have reduced (according to your several authorities and instructions) some pressures and enormities there, to the method of a small book, wherein we humbly prayed that some propositions might be referred to commissioners to be appointed by his majesty; in prosecution whereof, and for other reasons, best known to his majesty, and to his most honourable council, certain worthy selected gentlemen, of great trust, integrity, and wisdom are transmitted thither, to examine all errors and grievances, not only in parliament, and contained in our brief book exhibited to his majesty, but also any other pressure, extortion, or misgovernment whatsoever; so willing is his majesty to understand the truth, and so graciously inclined to the reformation of any inconveniencies, wherein, noble lords and worthy gentlemen, we do earnestly exhort and desire you seriously to consider of the present state of that poor country, and to proceed faithfully and diligently to the examinations before these great commissioners, without aggravation or distemper; for by setting forth the matter nakedly, they will easily discern the branches, and observe the sequel of it accord-

ingly. And in regard your only drift is to advance his majesty's favourable service, and the general good of the republick, without any private ends or respects, we do confidently affirm by the authority and warrant of the lords of his majesty's most honourable privy council, that the manifest subject there, in proving of any particular grievance, or irregularity, ought not to fear or be daunted by any personage of what degree or rank soever in that kingdom ; and that point was more at large intimated by his majesty's most gracious proclamation not long since published there in print : and therefore be not retrograde in opening your maladies to so sovereign a physician ; for if your wounds do fester, by concealing them longer, and not making use of this present remedy, we suppose they will hardly be cured after ; and our duty and love to God, and our prince, and our natural country, induce us to affirm, that if you neglect our advice, you will be accessaries to your own misfortunes, if any do befall you by your own omissions. We do not encourage you as lookers on, but sensible actors interested in the cause, and as we have not doubted (at your special instance) to move them, so we hope you will not fail of your integrity in proving them, according to your true knowledge, with your discretion, which is proper for the time and place wherein you live ; and you shall find good correspondence of us, according to the validity of your proofs. Notwithstanding all these good admonitions,

nitions, yet fearing you may be discouraged by the restraint of Mr. Talbot to the Tower, or Mr. Luttrell to the Fleet, we assure you, that the cause of their committal is occasioned upon collateral matters, not depending of our employment. And for our abode in London, during some part of his majesty's time in his progress, we conceive was to good purpose ; for we lived in the view of the most honourable lord the archbishop of Canterbury, whose grace hath extended special favour towards us, and admitted us to conference touching any of our grievances, and of whom you may expect all lawful favour in course of justice ; for he is upright in all his actions, and an honourable friend to all honest, plain, well meaning persons, such, I hope, as he found us : and for our residence here now, we understand it to be for this purpose, that some of us should be continually attending his majesty's further pleasure concerning the proceedings of that kingdom, whereby we may be ready at hand, either to give or receive satisfaction, as to his royal disposition shall seem most agreeable with the model of his own government.

THE noblemen and gentlemen by his majesty's nomination and commandment sent thither to attend the commissioners with their proof, are the lords of Killeene and Dunboyne, Sir Christopher Plunket, Edward Fitz-Harris, Andrew Barrett, and Paul Sherlock, whom we pray you once again to aid and assist with all the furtherance

therance you can, and to make your daily recourse to them for your better instructions; for if you fail of accomplishing the substance of our information, we may rightly be termed clamorous, without grounded cause; and do not imagine to hold yourselves excused by the vain opinion of fear and disgrace; for these causes are removed, and therefore produce good effects answerable to a constant resolution, in substance and circumstance conducive to the maintenance of our affections. We are hopeful of your discretion, and so intimating unto you, that as we have a most prudent and merciful king, so he is just withal, and doth expect a due account of our allegations upon the return of his highness's commissioners; and recommending these businesses to your faithful endeavours we rest,

Your honours, in all faithful assurance,

Gormanston, David de Rupa, viscount Fermoy, James Gough, Patt Husley.
London, this 14th of September, 1613.

THE king's most excellent majesty having now taken full notice of all those grievous complaints made by those lords recusants, and their adherents, against his highness's deputy general there; and likewise had considered, that the said deputy himself, in his submissive petition, did most humbly beseech his highness to appoint commissioners for the hearing and examination of those controversies then in question, as the
recusants

recusants formerly had done; wherefore his majesty, being graciously pleased to give satisfaction to all parties, chose four worthy and very learned gentlemen for commissioners to go over into Ireland, *viz.*

Sir Humphrey Winche, *knt.* who had sometime been lord justice of the king's bench in Ireland.

Sir Charles Cornwallis, *knt.* holden to be a very wise and learned gentleman.

Sir Roger Wilbraham, *knt.* who had been the queen's solicitor in Ireland.

Thomas Calvert, *esq;* one of the clerks of the council in England.

THESE four were sent over into Ireland to examine the state-government of the kingdom, and the causes of the controversies in the parliament house, with whom the lord deputy himself was joined in the patent, as chief commissioner. Now these four arrived at Dublin in Ireland, upon the 25th of September, 1613, and staid there until the lord deputy returned out of the north, which was not long after their landing. And at his lordship's coming to Dublin he gave them very honourable entertainment, and from thenceforth they sat daily to examine the controversies, according to the tenor of their commissions, where I will leave them for a while, and return to speak of the mayor of the city of Dublin for the year to come, as commonly I have accustomed to do in all the fore passed discourses.

Anno

Anno 1613, Sept. 30, anno Regis 11.

Richard Foster, Mayor,

Tadie Duff, William Taylor, sheriffs.

THERE was one Edward O Molowine, and alderman for the city, first chosen to be mayor : but because he would not go to church, nor take the oath of supremacy, this man, Richard Foster, although he were but young, and but lately called to the estate of an alderman, yet upon some good consideration, he was permitted to take that worshipful office upon him, as to be mayor of the city, in the place of him that formerly had been chosen. And when the accustomed day was come, that he should be presented at the exchequer bar before the lord chief baron, and court of the exchequer, and to be established in that worshipful place, Richard Bolton, esq; recorder of that city, presented this new mayor, made a very learned oration, wherein he recited the antiquity of the city, and the large charters and liberties of the same, given and granted unto them in ancient times by the princely favours of the kings of England ; but chiefly he commended the loyalty and the obedience of the citizens, and called the city of Dublin, a Virgin City, *viz.* a City Immaculate, and without spot of treason, treachery, or disloyal conspiracy, and that they ever shut their gates against any rebels whatsoever. Also he recommended this young mayor with very graceful speeches, inferring, that although he
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were but young in years, yet no doubt he might prove wise in government, with many other the like good speeches in his commendation. Sir William Methold, the lord chief baron, gave authentick heed, and great allowance to this oration ; but in his answer to that part thereof concerning the Virginitie of the city, he said, that if the city had lately shewed that conformity in the Tholsel, that it had done in former times at the gates, that it might have been better termed a Virgin City, and that that fact had much blemished her Virginitie ; but he said, because the principal author of that outrage had received his condign punishment, he did forbear any further to tax either the citizens or the city for that offence. Also he gave good allowance to the graceful speeches of the recorder concerning the young mayor there present, not doubting but he would sufficiently discharge the duty of his place, to his great worship and credit ; but he said further, that this mayor had leaped a salmon leap, for that he saw many grave and grey-headed men there standing about him, whose turn was to have been mayors before him, but, he said, the cause of their not being mayors, in plain terms was, because they would not take the oath of supremacy, which he was sorry for. And so after a brief exhortation given unto him for the well and faithful exercising of his office, he took his oath, kneeling on his knees, in the court of exchequer ; and then the lord chief baron delivered to him the sword, and he being thus

thus established mayor of the city of Dublin, returned home with such triumph as was fitting for his place and calling.

THIS discourse of the mayor being ended, I must return to the lord deputy and the commissioners, who had sat together many days about the controversies and grievances complained of in England by the recusants of Ireland: yet nothing was proved or brought to any perfection of proofs, as more at large you shall read in his speech hereafter following. Therefore we may think that all their complaints were frivolous, and of no effect; notwithstanding that not only those recusants that were in Ireland, but also some of those that were in England, came into Ireland, as the viscount Gormanston, the lord of Killeen, Sir Christopher Plunket, Sir James Gough, Patrick Hussey, and Thomas Luttrell, with others, who played their parts to maintain their assertions, and brought in many of their tenants and others to be witnesses in their behalf, whose witnesses were found to be so slender, and of so little effect, that they availed them nothing at all: so when the commissioners saw the weakness and imbecillity of their proofs, they brake up and sat no longer in commission, but took their leave of the lord deputy, and so departed into England, taking shipping at Dublin the 4th of November, and repaired unto his majesty with all expedition, and delivered unto his highness the whole circumstances of all their proceedings, which the king's majesty received with all willingness,

lingness, and at his highness's leisure did peruse them.

AMONG all those that came out of England, Sir James Gough, knt. who dwelleth in the province of Munster, was one, who made such frivolous constructions of the king's majesty's speeches concerning liberty of conscience, that all the people of Munster believed that the king had already granted that liberty, whereof they greatly rejoiced; which thing the lord deputy understood, and knowing that there was not any such liberty of conscience granted, and fearing lest some inconvenience might grow thereof, or that some seditious factions might arise, he presently sent for Sir James Gough, and examined him concerning that matter, who confessed it to be true, and therefore he was presently committed prisoner to the Castle of Dublin; but after a while confessing his error, and making his humble submission upon his knees in the council chamber, before the lord deputy and council, he was released and set at liberty. The copy of his submission, as it standeth recorded in the council-book at Dublin, doth here immediately follow.

AT my being lately in England, with some of the lords and other gentlemen of this kingdom, appointed to be sent thither about the parliament affairs, as it is well known, it pleased the king's majesty to say and declare, that our parting from the parliament house was a high disobedience,
and

and in such a degree, as wanted nothing of an open rebellion, but arms offensive and defensive. But by our humble appeal and submission to his royal person, we have found the effects of his majesty's clemency and mercy. And speaking likewise of religion, his majesty said, that he wished that the true religion, which he did profess, were generally established within this kingdom, and that the exercises of religion, which we use, which he said to be no religion, but a meer superstition, might be left off and abolished ; yet, said his majesty, I will not extort or force any man's conscience. His majesty said further, that he would have all his subjects of Ireland to know and acknowledge, that it was not lawful, upon the pope's excommunication, or other declaration of the church of Rome, to offer violence to his person, or by rebellion, or practice to deprive him of his crown, or any part of his dominions or kingdoms ; and did further expect, that his subjects of Ireland should not receive, harbour, or relieve, any priests, seminaries, or jesuits, that would maintain or allow of that doctrine ; but that they should rather apprehend all such, and bring them to justice, as disturbers of the peace and welfare of the realm.

His majesty further declared, that it was expressly against his will and pleasure, that his subjects here should breed their youth in Doway, or any other schools or seminaries beyond the seas ; all which his majesty willed us to declare
further

further to our friends and acquaintance, at our return home again ; and said lastly, that he would listen to what effects his admonition would produce among us.

Now, upon my repair into this kingdom, I imparted thus much of his majesty's speech to the mayor, and many other people at Youghall, and in other places upon my way to Dublin ; and upon my coming to this city of Dublin, I made a repetition of the same to the lord deputy, and some of the council, insisting more upon this, that his majesty would not extort or force any man's conscience, and omitting that other part of the last speech and charge, which I do confess he gave us all at Royston, to wit, that although his highness had out of his clemency at that time dealt graciously with us, by reason of our submissive appealing unto his majesty ; yet would not he have us to be so emboldened out of that example, as either for every light occasion hereafter to appeal from this state to his majesty, nor yet to swerve in any point of their dutiful obedience to his deputy and state here ; with this further reason of it, that he would never think they did truly honour him, if they did not bear that respect and reverence, which is due unto his ministers also.

BBING again now demanded by the lord deputy, whether I did gather or conceive out of any of his majesty's words, that it was his meaning to have every man left to the free exercise of his religion, and consequently to admit a to-

leration, I do think it my duty thus to explain myself. First, I am assured, that his majesty did not or doth not conceive the execution of the laws established, to be the extorting or forcing of men's consciences, but that it is his majesty's pleasure, to have the laws executed in that behalf every where, and by every degree ; but that his subjects should be compelled by violence, or other unlawful means, to resort to the protestant churches, I think it not his pleasure, in that they should be compelled by oppressions and undue inflictions of punishment, to acknowledge the use of the sacrament, contrary to their consciences, or vulgar conceit of it ; and if any hath made other constructions or expositions of my words, he is to blame, and hath therein wrested his majesty's discourse and words to a contrary sense, and done me wrong. I do further declare, that I am sorry for my offence against his majesty, in omitting his majesty's words, of putting of his laws in execution, and in silencing the declaration made by his highness, of the respect and obedience which he would have to be given to his deputy and state here, and for any other offence given by me to his majesty, or to the lord deputy and state here ; and I do humbly pray the remittal thereof, and my enlargement. And this I freely and voluntarily declare, and desire to be so understood by all men. Witness my hand the last of January 1613.

JAMES GOUGHE.

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THE king's majesty having now perused, and well considered the answers, certificates, and proceedings of the commissioners which he had sent into Ireland, and finding that his deputy there was not to be touched with any imputation concerning these complaints of grievances, which these recusants of Ireland had exhibited against him, his majesty was most graciously pleased as well to answer the general expectation, as to make known unto them his own good opinion of the lord deputy, and his courses in government, to send forth a proclamation, which here doth follow, in these words:

By the KING.

THE complaints lately exhibited unto us, by certain noblemen, and others of our kingdom of Ireland, suggesting disorders and abuses, as well in the proceedings of the late begun parliament, as in the martial and civil government of that realm, we did not only receive with extraordinary grace and favour (as is well known) but also vouchsafed in our own person to debate the grievances with the said complainants at several times; and afterwards, for our clearer confirmation and satisfaction, to send over certain select commissioners for examination thereof; of which our gracious proceedings we expecting no other fruits than an humble acknowledgment of our princely favour, and in the future a dutiful respect and obedi-

ence to our state and government, do find now, directly contrary to our expectations, that this our clemency and goodness hath wrought such animosity in some of the complainants, as instead of obedience and duty they requite us with nothing but with a continual importunity, and exaggeration of new complaints against our state, and particularly against the person of our deputy, whom (as we well perceive) they labour by all means possible to cast into our disfavour; notwithstanding our sundry admonitions and strict commandments to every of them, when they were here before us, to behave themselves with all dutiful respect unto the said deputy, as our representative person in that place; whereof, if they had been as mindful as became them, or as some of them were of other speeches of ours, strained and abused to their own purposes, we should not have cause now to lay these faults to their charge; and therefore, although the time serveth not as yet, in respect of some circumstances and accidents, belonging both to justice and majesty (in a matter that we have vouchsafed to hear in person) to declare and pronounce our final sentence and order touching the causes of Ireland in every particular, yet having taken due consideration of the report and certificate made unto us by our late commissioners, whom we find to have proceeded with a great deal of judgment, integrity, and diligence; we have thought fit to hold no man's conceipt in suspense, touching the princely judgment and
construction

construction we make of the doings and proceedings of our deputy there, but to declare and publish, that we find the same to have been full of respect to our honour, zeal to justice, and sufficiency in the execution of the great charge committed unto him ; wherein, as we do not clear all inferior ministers, but leave them to be corrected and punished according to their demerits, so we thought it agreeable to truth and justice to right him, who hath so well-deserved in his particular ; and therefore, if any man shall wrest the great care and clemency which we have used in hearing the complaints of divers of our subjects in that kingdom, to induce a scandal, or to attempt upon the person or government of our said deputy, we would have them well know, that we shall take it to ourselves, and punish it severely, as against the stirrers of sedition, and the contemners of both our grace and authority. Given at our palace of Westminster the 7th day of February, in the 11th year of our reign of Great Britain, France, and Ireland.

WITH this proclamation also came the king's most favourable letters to call the lord deputy over into England, to the presence of his most royal majesty ; and also a commission to those that should be lords justices in his absence, to govern the kingdom.

The copy of the king's letter, for the lord deputy's coming over into England.

To our right-trusty, and right well-beloved Arthur, lord Chichester, our deputy general of our realm of Ireland.

JAMES, Rex.

RIGHT-trusty, and right well-beloved, we greet you well. As we have heretofore, throughout the whole course of your government, found just cause to conceive well of your integrity and sufficiency in managing that high place of trust and authority committed unto you in that kingdom, so we do acknowledge hereby, that we have received full satisfaction by the report of our late commissioners, and otherwise, that these aspersions, which by causeless complaints were endeavoured to be cast upon you here, proceeded rather from the device and practice of some ill-affected persons, than from any true sense of publick grief, or any just cause given by you in your government there, where-with, for your better comfort and encouragement we do let you know, we are highly pleased (as our proclamation now sent to be published throughout that our realm, more at large expresseth) and in regard the time appointed for the sitting of our parliament there, draweth near, wherein matters of great consequence are
to

to be handled, and that we have for some reasons commanded the present appearance of divers members of both houses before us, we do think it fit, upon this occasion, to express the favour we bear you, and the good opinion we have of you, by authorizing you forthwith to repair to our presence, that we and our council may advise at large with you, and receive information of you, touching the present estate of our affairs of that kingdom. And because it is expedient, that the government there, during your absence, should be supplied by some meet persons, to manage the affairs of that state, we do hereby enable and authorize you (whom in our princely pleasure we do still continue our deputy general, without any revocation or diminution of your authority) to assign and appoint by commission under our great seal, in such sort, as for the furtherance of our service there, you, with the advice of our council there, shall think fit, our trusty and right well-beloved, the most reverend father in God, Thomas, archbishop of Dublin, and our trusty and well-beloved Sir Richard Wingfield, knight, our marshal of our army there, as justices, to take upon them jointly that government, and to do all things according to the tenor of the said commission, with such instructions as you shall leave with them, signed under your hand, as your deputy of the said realm. The said authority so committed by you to them, to continue only during your absence, or until we shall signify

our further pleasure to the contrary. And albeit we have thus signified our pleasure unto you, for your repair hither, and disposing of the government in your absence; yet if you shall find any indisposition in your body to come hither, and return in so short a space, as the time appointed for the holding of our parliament, or that you shall know any reason of state, which you in your judgment shall hold fit to detain you there, for the advancement of our service; or if otherwise you shall conceive, that your repair hither at this time, will in common construction be interpreted to your disgrace, contrary to our princely meaning, who intend the same highly for your grace and honour, then in such case, we do not so strictly enjoin you to the performance thereof, but that we do leave it freely to your own choice to come or stay, as you shall think fittest for our service. And these letters shall be unto you, and all others, whom it may concern, sufficient warrant in that behalf. Given under our signet, at our palace at Westminster, the 7th day of February, in the 11th year of our reign of England, France, and Ireland, and of Scotland the 47th.

The lords justices commission thereupon.

JAMES, by the grace of God, &c. To our trusty and right well-beloved, the most reverend father in God, Thomas, archbishop of Dublin, our chancellor of our said realm of Ireland,

land, and to our trusty and well-beloved Sir Richard Wingfield, knight, our marshal of our army in our said realm, greeting. Whereas by our letters, signed with our own hands, and sealed with our privy seal, bearing date the 7th day of February last past, we have signified our princely pleasure, that our right trusty and right well-beloved, Arthur, lord Chichester, our deputy general of our said realm of Ireland, should forthwith repair unto our presence in the realm of England, to the end that we and our council of our said realm of England, may advise at large with him our said deputy general, and receive information from him touching the present estate and affairs of this our kingdom. And whereas we are careful and provident, that the government of this our kingdom of Ireland, during the absence of our said deputy general, may be supplied with meet persons, to manage the affairs of this state, without revocation or diminution of the authority of our said deputy general, know ye, that we, by the advice and consent of our said right trusty and well-beloved counsellor, Arthur, lord Chichester, baron of Belfast, our deputy general of our said realm of Ireland, and with the advice of our council established in the said realm, and according to the tenor and intent of our letters above-mentioned, have constituted, ordained, and appointed you, and do by these presents constitute, ordain, and appoint you to be jointly justices of our said realm of Ireland, as subordinate to our said deputy general, during

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ing the absence of our said deputy general, or until we shall signify our further pleasure to the contrary, to supply the government of this our kingdom, as aforesaid, in all and every thing and things, according to the instructions hereunto annexed, and signed with the hand of our said deputy general, as deputy general of our said realm, and not otherwise, or in any other manner. And we do hereby further declare our express will and pleasure to be, that these our letters patent of commission shall not enure or be deemed, or construed to any revocation or diminution of the authority of our said deputy general, but that the said Arthur, lord Chichester, doth, and shall still stand and continue our deputy general of this our realm of Ireland, as well for the holding, continuing, and dissolving of our parliament, lately summoned in this kingdom, as to all other intents and purposes, according to the tenor and effect of our several commissions in that behalf granted formerly unto our said deputy general, and according to the intent of our letters before-mentioned: any thing in these our letters patents, to the contrary thereof, in any wise notwithstanding.

THIS letter and commission, together with 1000 of the aforesaid proclamations, were sent over into Ireland by the worshipful knight Sir Richard Boyle, who arrived at Dublin the 13th of February, and delivered the letters, with the commission and proclamation, with his other business

business to the lord deputy and council ; and the next day after, the said Sir Richard Boyle was ordained and sworn in the council chamber, to be one of his highness's privy council in Ireland ; and about the third day after, the afore-said proclamation was proclaimed, first at the high cross of Dublin, in the presence of the lord chancellor, and others of the council, and afterwards in divers other places of the city, in the presence of the mayor and aldermen, and other the commons of the city. And all the rest of the proclamations were dispersed through the cities and towns of the whole kingdom, to be in like manner proclaimed as appertained.

AND here it is to be noted, that divers members of the parliament, of both houses, went over again into England, by his majesty's commandment, as well such as had been there before, as others that had not been called in former times.

Now all things being done according to his majesty's directions here in Ireland, the lord deputy prepared himself to go into England, and having set the most reverend father in God, Thomas, lord archbishop of Dublin, and lord chancellor of Ireland, for one of the lords justices ; and Sir Richard Wingfield, knight, marshal of his majesty's army in Ireland, for another ; according to the tenor of his majesty's commission, his lordship departed, and took shipping on Sunday the 12th of March 1613, being accompanied with 8 knights, namely, Sir
Henry

Henry Poore, Sir John Davis, Sir Roger Jones, Sir Adam Loftus, Sir Robert Digby, Sir Josias Bodlye, Sir Edward Moore, Sir Robert Pigot, with divers other esquires and gentlemen of worth, who attended his lordship in this journey at the same shipping; and on the 26th of March following, Sir Arthur San likewise followed.

ON Monday the 14th of March, these two new elected lords went into the council chamber within the castle of Dublin, with also sundry others of his majesty's privy council of Ireland, where his highness's letters to the lord deputy, concerning their election, were read; as also their commission and letters patent, their oaths ministered unto them, and his majesty's sword of state delivered; and so they were fully established lords justices, jointly to govern the kingdom of Ireland in the absence of the lord deputy, who was lately gone to sea, as is afore said; but having troublesome weather, and the wind strong at north-east, with much-ado his lordship landed the 15th of March, at a place in Wales, called Abbotdoran, and travelled thence by journies, towards West-Chester; and in the way, about a mile from Aberconway, riding over an old bridge of planks, his horse's foot slipped, and fell into the water, whereby his lordship was in great danger, but the gentlemen that were about him recovered him very quickly, without any great harm; so his lordship continued his journey to West-Chester, where he stayed two days; and afterwards, upon the 21st of March, he

he set forwards towards London, where he was most honourably received by his majesty, and afterwards repaired to his lodging.

Now as concerning that place where the lord deputy fell into the water, it hath been always accounted a very dangerous place for travellers, infomuch that Mr. William ap Hugh of Renumgarthagh, confessed, that in his life-time he hath known several men drowned there, and that he himself had made several motions to the gentlemen of the country, for the repairing of the said bridge, but no answer was given in any effect ; and therefore, after the lord deputy had such a mischance, that he fell in there, the said William ap Hugh, at his own costs and charges, hath repaired and builded up the bridge in such a good fashion, that travellers may now pass over without any danger ; over which bridge the lord deputy rode again, upon his return back into Ireland.

THE king hearing, debated at sundry times in his royal presence, the causes of the complaining recusants, and the answers and objections of the lord deputy, his highness, out of his gracious and princely clemency, resolved to give a direct and peremptory resolution to the lords, knights, citizens, and burgessees, recusants of Ireland, what was his most gracious will and pleasure therein ; and how his majesty intended to give his royal censure upon them, seasoned with favour and mercy, howsoever their deserts had deserved, as it will appear very plain in that which followeth :

HIS.

HIS MAJESTY'S speech delivered in the council chamber at Whitehall, on Thursday before Easter, being the 12th of April 1614, touching the miscarriages of the recusant lords and gentlemen of Ireland, in the parliament begun in that realm, the 18th of May 1613.

My LORDS,

THESE noblemen and gentlemen of Ireland, are called hither this day, to hear my conclusion and determination in a cause of great consequence, which hath depended long in trial. Thus far it hath had formality; for it is a formality that kings do hold in all processes of importance, to proceed slowly, to give large hearings, and to use long debates before they give their sentence. These gentlemen will not deny, that I have lent them mine own ear, and have shewed (them) both patience and desire, to understand their cause at full. It resteth now, that we make a good conclusion after so long debate.

It is a good rule to observe three points in all weighty businesses, long and curious debate, grave and mature resolution, and speedy execution. The first is already past, the second is to be performed this day, and the last must follow as soon after as conveniently it may be.

I PROMISED to these noblemen and gentlemen of the recusant party, of parliament, justice without favour. Let them see whether I have
not

not performed the same. I have given them a patient hearing ; with a curious search into the causes of their complaints, and now am to make a conclusion of this business.

IN the search (though I doubted not of the honour and justice of the lord deputy's government) yet I dealt with him, not as with my servant, not as with the most unreprouable governor that ever was in that kingdom (as some of yourselves have acknowledged to myself in your private speeches) but as with a party. But after the commissioners had heard all that could be alledged against him, I found him indeed a faithful servant by their certificate, which was *conclusum in causa*. The gentlemen I sent were such as no exception could be taken against them, some were never there before, some so long sithence, that *rerum facies fuit mutatae* since they lived in that kingdom.

IT rests in me now, to set down my conclusion ; but before I declare my judgment, I will speak of some things offered by you, the recusant half body, who are called parliament recusants. I have heard of church recusants, but not parliament recusants ; this difference was never before heard of.

FIRST, the letter you sent unto me in the beginning of the parliament, was full of pride and arrogance, wanting much of the respects, which subjects owe to their sovereign. Now if I should do you justice, I should take you at your word,
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lay together your offer in your letter, * and the articles which my attorney laid open unto you ; then shall you see your loss. For you made offer, that if you failed to prove any one point contained in your complaint, you would renounce my favour in all ; yet have you scarce proved a word true, but, on the other side, almost every point hath been proved untrue.

Of fourteen returns whereof you complained, but two have been proved false ; and in the government nothing hath been proved faulty except you would have the kingdom of Ireland like the kingdom of heaven. But commonly offenders are most bold to make offers of innocency ; for this being in passion, began in heat, and continue in heat ; but when they see themselves in the glass of their own vanity, they find their error : and this I have found by my own experience in Scotland, and since my coming hither.

Now I will divide my speech into two parts. First, touching the offences done by you ; secondly, of your complaints against the state and government.

TOUCHING the first, I will begin above. First, an unusual favour was offered you by my deputy : for he sent for you, advised you to consider what laws were fit to be propounded for the commonwealth, and offered to concur with you. Your answer should have been humble thanks on

* Here the King read the words of their own Letter.

your knees; but you neglected that favour, and made answer by two agents, in the name of the rest, that you would first be made acquainted with such bills as the deputy and the council there had resolved to transmit.

BEFORE the parliament there was sent to me, by a few noblemen, a letter rash and insolent, that nothing should be pursued in parliament but you should be acquainted with it; and withal threatening rebellion in a strange fashion, with similitudes unfavoury and unmannerly, and unfit to be presented to any monarch; and after that you did nothing but heap complaint upon complaint until the parliament was set down.

THE parliament being sat, you went on with greater contempt. There were in the lower house two bodies, and but one head; and whereas you should have made an humble and dutiful answer to the commendation which I made of a speaker, you, the recusant party being the fewer, when the greater number went out to be numbered, shut the door, and thrust one into the chair as a speaker. After this the recusants of both houses departed from the parliament: the like was never heard of in France, Spain, or any kingdom in Christendom.

THEN came petitions to the deputy from a body without a head, a headless body; you would be afraid to meet such a body in the streets; a body without a head to speak; nay half a body; what a monster is this? a very bugbear! Methinks you that will have a visi-

ble head of the church over all the earth, and acknowledge a temporal head under Christ, you may likewise acknowledge my viceroy or deputy of Ireland.

T H E N did the deputy give you warning to come to the parliament to pass the bill of recognition, which you put off with tricks and shifts; but I will urge this no further. But why should the lords refuse to come? they had no colour of absenting themselves, having nothing to do with the orders or disorders of the lower house. The lords here and the lower house are as great strangers in these matters as the parliament houses in Spain and France. Neither had the recusants of the lower house any just cause of defection, since an indifferent committee was offered unto them. This was such an ill example, and such a crime, to refuse to appear at the king's summons, as, if you shall advise with lawyers upon it, I know not what it may import.

A F T E R this you came hither, and only your appeal to me hath inclined me to mercy; yet I speak not to encourage complaints to be brought hither, when the deputy and state may determine them. Though this being a matter of parliament was fit for the king's hearing, and your appeal hath been heard *usque ad nauseam*. And whereas it should have wrought humility and thanks, the fruit hath been, that (I will not say in a preposterous) but in a kind of rebellious manner, you have heaped complaints upon

upon complaints, and petitions upon petitions, not warranted with any truth, to make the more noise, that what you could not carry with reason, you might carry with noise; whereas you should have looked back to your own miscarriages.

THEN I sent commissioners to examine as well the by as the main business, to wit, the grievances preferred since you came first hither, and the parliament business, which you at first pretended to be the cause of your appealing to me; but instead of thanks for that favour, there came yet more new complaints, which, because the council here have already answered, I will not speak of. Now if you look back to your own miscarriages, and my lenity, you shall find, that your carriage hath been most undutiful, unreasonable, and in the next degree to treason, and that you have nothing to fly to but my grace.

THE lower house here in England doth stand upon its privileges as much as any council in Christendom; yet if such a difference had risen here, they would have gone on with my service notwithstanding, and not have broken up their assembly upon it: you complain of fourteen false returns: are there not many more complained in this parliament? yet they do not forsake the house for it.

Now for your complaints touching parliament matters, I find no more amiss in that parliament, than in the best parliament in the world;

escapes and faults of sheriffs there may be, yet not them proved ; and if it had been proved, no cause to stay the parliament, all might have been set right by an ordinary course of tryal, to which I must refer them.

BUT you complain of the new boroughs, therein I would fain feel your pulse, for yet I find not where the shoe wrings. For first, they question the power of the king, whether he may lawfully make them : and then you question the wisdom of the king and his council, in that you say there are too many made. It was never before heard, that any good subjects did dispute the king's power in this point. What is it to you whether I make many or few boroughs ? My council may consider the fitness, if I require it. But what if I had created forty noblemen, and four hundred boroughs ? The more the merrier, the fewer the better cheer.

BUT this complaint, as you made it, was preposterous ; for in contending for a committee before they agreed of a speaker, you did put the plow before the horse, so as it went on untowardly, like your Irish plows. But because the eye of the master doth make the horse fat, I have used mine own eyes in taking a view of those boroughs, and have seen a list of them all. God is my judge, I find the new boroughs, except one or two, to be as good as many of the old boroughs, comparing Irish boroughs new with Irish boroughs old, for I will not speak of the boroughs of other countries ; and yet be-
sids

sides the necessity of making them, I find them like to encrease and grow better daily. I find besides but few erected in each county, and in many counties but one borough only ; and those erected in fit and convenient places near forts or passages for the safety of the country. Methinks you that seek the good of the kingdom should be glad of it. I caused London also to erect boroughs there, which when they are thoroughly planted, will be a great security for that part of the kingdom ; therefore you quarrel at that which may bring peace to the country.

FOR the persons returned out of those boroughs you complain they have no residence. If you said they had no interest, it had been somewhat ; but most of them have interest in the kingdom ; *et qui habent intercessare*, like to be as careful as you for the weal thereof. I seek not *emendicata suffragia*. Such boroughs as have been made since the summons, are wiped away at one word for this time. I have tried that and done you fair play. But you that are of a contrary religion must not look to be the only law-makers ; you that are but half subjects should have but half privileges ; you have but one eye to me one way, and to the pope another way ; the pope is your father in *spiritualibus* and in *temporalibus* only, and so have your bodies turned one way, and your souls drawn another way ; you that send your children to the seminaries of treason. Strive henceforth to become good subjects, that you may have *cor unum et viam unam*, and then

I shall respect you all alike. But your Irish priests teach you such grounds of doctrine, as you cannot follow them with a safe conscience, but you must cast off your loyalty to the king*.

T O U C H I N G the grievances whereof you have complained, I am loth to spend breath in them; if you charge the inferior ministers in the country, all countries are subject to such grievances. But if you charge the deputy and state, *nihil probatur*. Indeed I hear, and not from you, but from others, there is one thing grievous to the country, that notwithstanding the composition established in the provinces, the governors there do send out their purveyors, who take up their achates and other provision upon the country. If this had been complained of to the deputy or to me, it had been reformed; the deputy himself at Dublin doth not grieve the country with any such burthen. Another thing there is that grieveth the country people, which is, that in the country where there is half peace and half war, the sheriffs and the soldiers in their passage do commit many extortions. For these grievances I myself will call the deputy unto me, and set down such orders in this time of vacation, as these abuses shall be redressed, and clear taken away; and if any such disorders be suffered hereafter it shall be only for fault of not complaining: and because the meaner sort will perhaps fear to complain, I would have such

* Here the king mentioned an Irish Priest's letter lately intercepted.

gentlemen

gentlemen of the country as are of the best credit with the deputy, to present complaints, which they may do in such manner as to the parties who prefer the complaints may not be known.

THERE is a double cause why I should be careful of the welfare of that people: first, as king of England, by reason of the long possession the crown of England hath had in that land; and also as king of Scotland; for the ancient kings of Scotland are descended from the kings of Ireland; so as I have an old title as king of Scotland, therefore you shall not doubt to be relieved when you complain, so as you will proceed without clamour.

MOREOVER my care hath been, that no acts should be preferred that should be grievous to that people, and to that end I perused them all, except one, which I saw not till of late, and that is now out of doors; for I protest I have been more careful of the bills to be passed in that parliament, than in the parliament of England.

LASTLY, for the imputations which may seem to touch the lord deputy, I have found nothing done by him but what is fit for an honourable gentleman to do in his place, which he hath discharged as well as any deputy ever did, and so divers of you in private have confessed to me; and I find your complaints against him and the state to be but careless expostulations.

To conclude, my sentence is, that in the matter of parliament, you have carried your-

selves tumultuously and undutifully; and that your proceedings have been rude, disorderly, and inexcusable, and worthy of severe punishment, which by reason of your submission I do forbear, but not permit, 'till I see your dutiful carriage in this parliament, where, by your obedience to the deputy and state, and your future good behaviour, you may redeem your past miscarriage, and then you may deserve not only pardon, but favour and cherishing.

IN this year the king's majesty received advertisements by letters from beyond the seas, that there was a certain friar called John Stewart, a Scottishman born, which was coming from Rome to England, Scotland and Ireland, as the pope's nuncio, to animate the superstitious subjects of those kingdoms, and to work some further mischief concerning the king's person. He was so artificially described to the king's majesty in shape and proportion of body, in physiognomy of face, in colour of hair, and in suits of apparel, his journey and travel with his companions and associates, in every particular, whereby his majesty gave particular notice of him throughout all his dominions, chiefly in Ireland, where it seems his first arrival was intended, especially commanding, that he should be speedily apprehended, if possibly he might be found; and it so chanced, that one lieutenant Hussey met with him, and brought him to the castle of Dublin, where he was examined before the lords justices

justices and others of the council. Upon Monday the sixteenth day of May, he was examined from seven of the clock in the morning until twelve of the clock at noon, but what he confessed was yet unknown; but most certain it is, that the next day, being the seventeenth of May, he was put on ship-board, and sent into England to the king, with a strong guard under the charge and conduction of one. This man, the said friar served sometimes one Peter Nangle, a gentleman born in Ireland, who had been in his youth a very gallant courtier, and for religion sake fled into Spain about the year 1576, and there became a friar himself, and so continued until his dying day.

THE 28th day of May Mr. John Laffan, a young gentleman born in the county of Tipperary, was slain at the end of School-house-lane, near Cook-street, Dublin, by one Edward Musgrave, a quarrelling soldier of the guard, who was therefore apprehended and arraigned in the king's bench, and there condemned of wilful murder, and adjudged to be drawn, hanged and quartered; but upon good consideration that execution was deferred and respited for a time; and upon my lord deputy's return he was executed for the fact at Dublin.

IN this year certain lusty companions, *viz.* John Morris, Peter Hilliard, and Hugh Rogers, and others, consulted to steal away a ship that lay at Dalkey-head loaded with a merchant's goods of Chester; with which ship they failed

failed into the north of Ireland, where they anchored in Lough Suilly, and were apprehended by the means of bishop O'Coffie, and sent up to Dublin, where they were arraigned before Sir Adam Loftus, who was judge of the admiral court in Ireland, and were condemned to death, chiefly those three above-named, who were found to be the chief and principal actors, and the rest were remitted and set at liberty, and these three were executed upon the strand, at low-water mark, by Dublin, upon the 30th of May, 1614.

IN this year one Thomas Barnap, an Englishman born, being a soldier, and dwelling in Connaught, was accused for speaking these or the like words, *viz.* that all Englishmen were cowards and fainthearted, that would receive a Scottishman to reign over them; for which words he was apprehended and arraigned in Connaught aforesaid at the assizes holden at Roscommon before Sir Dominick Sarsfield, second justice of the king's bench, where the said Thomas Barnap was indicted and found guilty. But Sir Dominick proceeded no further with him there, but deferred his judgment until the next Easter term to be holden at the court of king's bench at Dublin, where the said Thomas was to appear; and there judicially he received judgment according to the weight of his offence, which was, that he should be drawn, hanged and quartered; and according to this sentence he was executed upon Oxmantown-green, by Dublin, the 4th of June, 1614.

UPON

UPON the 8th of June there came a packet of letters out of England, whereby it was known, that the parliament was once more to be adjourned, *viz.* to the 11th of October, and that the king's majesty was to begin a progress upon the 20th of July; whereby it was judged that there should be some longer stay made of the lord deputy's coming over, who was then in England. But the king being prepared for his progress, licensed the lord deputy to depart and return into Ireland; who after he had taken his leave of the king, departed from London on Monday the 11th of July, being accompanied with Sir Henry Poore, Sir Robert Digby, Sir Charles Wilmot, Sir Adam Loftus, Sir Roger Jones, Sir Edward Moore, and many other gentlemen of worth, who attended his lordship, and arrived with him at the head of Howth upon the 26th of July very early in the morning; and the same day in the afternoon the lords justices, with as many of the nobility as were near at hand, and also the mayor of the city of Dublin, with the aldermen and commons, rode forth to meet the lord deputy, by whom he was received most joyfully, and attended upon with great troops of horsemen of all estates riding from Howth towards Dublin; and as he entered the city he resumed again his majesty's sword of justice and estate in his own hands, which was borne before him by the lord of Howth; and so riding most honourably with great applause and rejoicing of the people, he
passed

passed through the city, and went to his own house at Hoggen-green.

THIS year in the month of August there was a very fair monument of alabaster set up in the high choir of the cathedral church of the Trinity in Dublin for that honourable child Arthur Chichester, son and heir to the lord Chichester, baron of Belfast, and lord deputy general of the kingdom of Ireland, born unto him of that most virtuous lady his wife, the lady Lettice, the daughter of the most worthy knight Sir John Perrot, who had been some time lord deputy in Ireland. The child was born in 1606, on the first of October, and died in November next following, and lived not full two months. Upon whose death a gentleman attending the state made this epitaph :

HERE lies the father's hope and mother's joy,
Though they seem hapless, happy was the boy ;
For of his life the long and tedious race
He hath dispatched in less than two months
space.

A blessed soul to whom such grace was given,
To make so short a voyage unto heaven :
And here a name and christendom to gain,
And to his Maker straight return again.

THE 18th of August there was a great commencement holden in the university at Dublin, but because the rooms in the Trinity College were very small, they held their acts of disputation

tion in the high choir of St. Patrick's church, and there proceeded that day five doctors in theology, *viz.*

Dr. Jones, lord chancellor, } by grace.
Dr. King, bishop of Elphin, }

Dr. Usher, }
Dr. Richardson, } in publick disputation.
Dr. Walsh, }

Batchelors of divinity, 3.

Masters of the arts, 15.

Batchelors of the arts, 17.

THE whole number of graduates at this commencement, 38 ; besides three that were incorporated.

THE manner of this commencement was accomplished in this order : first, Dr. Hampton, lord archbishop of Armagh and primate of all Ireland, who having many years before proceeded Doctor in theology at the university in Cambridge, was now at this commencement incorporated into the university of Dublin, and was the senior doctor cathedral and moderator of theological acts in the commencement ; so upon the day appointed, *viz.* the 18th day of August, the said doctor Hampton, lord primate, together with the provost, fellows, and scholars of the house, passed from the college through the city of Dublin in very stately order ; for the lord primate and other ancient doctors, and also those that were to proceed doctors, were every one attired in scarlet robes, with their doctors hoods ; also the batchelors of divinity, the

the masters and batchelors of arts were attired in other scholar-like attire as appertained, which made a very beautiful show to the sight of all men; and they were further most highly graced with the presence of the lord deputy, the lord chancellor, Sir Thomas Ridgway, knt. treasurer, and treasurer at war, with divers others of the council, who followed after them, and sat in St. Patrick's church to hear their disputation and discourses, which were performed as followeth.

FIRST, when they were entered the choir of St. Patrick's church, the masters and batchelors of arts sat down in their places appointed for them, every one according to his degree; likewise Dr. Dun, being a doctor in the civil law, and vice-chancellor of the university, took his place, which was appointed for him in the choir; and then Mr. Anthony Martin, proctor for the college, ascended up into one of the pulpits, as moderator of the philosophical acts. And the lord primate, who was father for the day, of the theological acts, with those three which were to proceed in the publick disputations, as also two batchelors of divinity, did ascend up to their places which were appointed for them on the right side of the choir. And when the lord deputy, and the lord chancellor, and the council were set, and all things in good order, Dr. Dun, the vice chancellor of the university, began an oration in Latin, being as a general introduction into all the acts of that day's disputation, which he performed learnedly; and when

when he ended his oration, the primate began another oration in Latin concerning the act of divinity, and those that were to proceed doctors.

THIS oration contained a long discourse, wherein he administered five academical ceremonies as here do follow in order :

1. He set them in his chair.
2. He gave them square caps.
3. He delivered them the bible.
4. He put rings upon their fingers.

THESE ceremonies ministered severally to each of them, first to Dr. Usher, then to Dr. Richardson, and lastly to Dr. Walsh ; and the lord primate expounded to them the signification of each ceremony.

THIS manner of commencement was never used in Ireland before this time. Now all things being thus performed by the lord primate, as is said, Dr. Usher went down into the choir, and ascended up into one of the pulpits, where he made a sermon-like oration upon the text, *Hoc est corpus meum* ; and after a long discourse thereon, the other two doctors, viz. Dr. Richardson and Dr. Walsh disputed with Dr. Usher upon the same point ; in which disputation, the lord primate, who was the father of this theological act, was also moderator in their disputation, and finishing the act, they rose up, and returned back to the Trinity College, where a stately dinner was provided for the lord deputy and council. And thus were all things concerning

ing the acts of commencement in the University of Dublin, performed and accomplished to their high commendations and credit.

THE total sum of all the graduates that have commenced in this university from the first foundation thereof to this present year 1614 inclusive, containing the space of 23 years,

Doctors in divinity 7

Doctors in civil law 1

Doctors in physick 1

Batchelors in theology 7

Masters of arts 38

Batchelors of arts 53

Bachelors of music 2

Total graduates 109

Besides those incorporated—3. viz. 1 doctor, and 2 masters of arts.

AND whereas it hath pleased God, that in these few years of her infancy, she hath brought forth such a learned issue, it is to be hoped for, that in her more ripe and mature years (God blessing her increase) she shall produce multitude of learned children, who shall flourish in the church and commonwealth, to the glory of God, and the increase of true christian religion in Christ Jesus. Amen.

THIS year all the counsellors of law that were in Ireland, who would not take the oath of supremacy, were put from pleading of causes in any of the four courts, or elsewhere to speak for any clients. Likewise, such as were pensioners, that

that would not take the said oath, were discharged of their pensions.

You have read in the discourses foregoing, that divers noblemen, knights, and gentlemen of Ireland, were sent for by the king's majesty to repair into England, when the lord deputy went over there, to shew the causes of their griefs before the king, in the presence of the lord deputy; where they seemed vehemently to aggravate their complaint, but yet to small purpose, as it doth plainly appear by his majesty's royal speeches late delivered at Westminster, upon the 21st of April 1613, which you may read a little before. Now, after the lord deputy was returned back into Ireland, the said lords, knights, and gentlemen, were likewise licensed to return home to their own countries.

WILLIAM TALBOT, of ———, esq; notwithstanding his heinous offence made to his majesty, and his long imprisonment in the Tower, and the fine of 10000*l.* imposed upon him in the star-chamber of England, yet was the king's highness most graciously pleased, upon his humble submission, to tolerate his offences, and to permit him to go over into Ireland with the rest of his countrymen.

Anno 1614, September the 30th.

Richard Brown, mayor.

Patrick Fox, Richard Bennet, sheriffs.

THE parliament was now again prorogued until the 28th of April 1615.

IN this year certain of the sept of the Clandonells, in the out-isles of Scotland, went out into rebellion, and held a strong castle in the island of Isla against the king; but his majesty sent speedy directions to the lord deputy in Ireland, to send thither certain pieces of great ordnance for battery, with soldiers and commanders, as he should think fit for such service. So the deputy appointed the worthy knight Sir Oliver Lambert to be the chief governor and director of that service, accompanied with Sir Thomas Philips, who commanded one hundred men, and captain Crafford, who commanded another hundred, with two cannons and culverine; and when all things were in readiness, they departed from Dublin the 4th of December 1614, being shipped in two of the king's ships, *viz.* the Phoenix and the Moon; and when they came into the island, they expected to meet with Sir John Campbell, lord of Caldore; but he came not to them in eight or nine days after; and when he came to Sir Oliver, they marched towards the castle, and began to plant their battery, in which business captain Crafford was slain with a bullet from the castle: this notwithstanding, in five or six days they made a breach, and the rebels, having boats within the castle, ran away by night; and so Sir Oliver took the castle, and delivered it to the said Sir John Campbell to keep for the king's use, and so removed his camp, and shipped his men and his ordnance, and returned to Ireland, arriving at Dublin on the 11th day of February in the year aforesaid.

RIGHT

RIGHT trusty and well beloved, we greet you well. Upon full examination of the causes, as well for the dissension which happened in the house of commons there about the election of the speaker, and the departure of divers of the members of both houses from the parliament, we have found the parties which departed from the rest, although they complained of wrong done unto them, to have been faulty, and in the wrong themselves; and that the rest who continued their attendance in parliament are not only free from blame, but that they do deserve our favour and good opinion for their loyal and dutiful carriage in that behalf, which we require you specially from us, and in our name, to signify unto them. Howbeit, since we for our part have been pleased to forbear to punish the contempts committed against us, by those who willingly departed from the parliament there, in regard of their appeal to our justice, and submission unto our judgment, as well touching the election of the speaker, whom we judge to be lawfully chosen, as in all other points, together with their humble promise from henceforth to give their dutiful attendance in this parliament; we do hereby will and require you to signify to the house of commons there, that it is our desire, that they take example from us in forbearing to call in question any contempt or misdemeanour heretofore committed in that house, by any of those parties who departed

X 2

from

from the rest, to the end that all the members of that house may be remitted in concord and amity, and that particular expostulations may not give impediment to the general business. And whereas the members of that house, who departed from the rest, complaining at first of the number of new boroughs lately erected before the beginning of this parliament, have now acknowledged our lawful power and prerogative, as well to incorporate, as to enable the same to send burgeses to the parliament, only they have been humble suitors unto us, that we would be pleased to consider of the conveniency thereof; we have, with the advice of our council here, thought fit and convenient, that the burgeses returned from eight boroughs only, which were erected by our charters there since the writs of summons to this parliament went forth, namely, the burgeses returned from the several towns or boroughs of Tallagh, Lismore, Catherlogh, Clonkiltie, Featherd, in the county of Wexford, Agher, Belfast, and Charlemont, shall forbear to sit in the house of commons during this parliament only; and that the burgeses returned from the boroughs of Kildare and Cavan, being found by the certificate of the commissioners, lately sent thither, to be falsely returned, do likewise forbear to sit in that house, unless they be again duly elected. And whereas the said commissioners, upon a certificate made unto them by the principal clerk of the office of the rolls, they have informed us, that the towns and bo-
roughs

roughs of Clogher, Alone, and Gorocan, have no lawful power by charter or prescription, to send burgeses to the parliament, we think it fit, if that certificate be found true, that the burgeses returned from the said three towns of Clogher, Alone, and Gorocan, shall forbear also to sit in this house of parliament; but that all the rest of the burgeses returned into this parliament, from any other city or borough, new or old, be admitted as lawful members of the house of commons there, as being lawfully elected and returned: all which we require you to make known to the house of commons there, not doubting but that they will conform themselves unto that which we have resolved here, in all the points afore said. But now, forasmuch as the doubts and questions which have been moved, touching the parliament, are fully cleared and resolved, we think it a fit time to dispatch from hence Sir John Davis, our attorney general of that kingdom, with those bills which were first transmitted thither under the great seal of England, and were lately sent for hither again by our special direction, to the end that the bill against the Jesuits, &c. might be taken away from the rest, to be further considered of by us; which we ourselves have done with our own hands, sending the rest back again unto you, to be propounded in the next sessions which is to begin in October next, if you find no cause to the contrary upon your arrival there; or if we in the mean time shall not give you directions to prorogue the same

to a further day. In the mean time, we recommend unto you the care and diligence of our said attorney in this publick business from the beginning; and because his passage to and fro, and his long attendance at this time, hath been chargeable unto him, we require you to give him such allowance as he hath formerly received upon the like employments; and these our letters shall be your warrant in that behalf. Given under our signet at Beavours Castle, the 7th day of August, in the twelfth year of our reign of Great Britain, France, and Ireland.

INSTRUC-

I N S T R U C T I O N S
T O T H E

Commissioners sent by king JAMES I,
to Ireland, to enquire principally into
the disturbances in the parliament of
1613. Extracted out of the Rolls office.

Anno 11 James I.

[N. B. *The two first articles are so defaced in
the Roll as not to be read.*]

3. **I**TEM. You shall inquire and inform your-
selves, whether there were any combina-
tions, confederacies, or practices, made in any
part of our said realm of Ireland; that none
should be chosen from thence as knights, citi-
zens, and burgeses, for the parliament that
usually repaired to church to hear divine service
there, or were conformable to the religion there
established, by the laws and statutes of our said
realm, or that any should forbear to give their
voice for the choice of any such, and whether
any jesuit or priest had any meddling in such
combination or practice; or whether means were
used to any to that effect? And where, and in
what parts and places, were the same practices
used, and who were the authors thereof?

4. *Item.* You shall enquire and inform yourselves, whether there have been any late general assessments, levies, and receipts of monies in that kingdom, by virtue of contributions or otherwise, upon our subjects, without authority from us or our state there? What were the causes or pretended causes of such assessments and collections? What causes have been used for the assessing, collecting, and levying of the same sums? What the sums are? To whom paid? And by what pretended authority or means the same sums are set, levied, or procured? Who are the collectors, receivers, and expeditors of the same? In what parts or provinces of our said kingdom the same are set or levied? And who are the principal persons that give aid, countenance and furtherance to the same? And whether the priests and jesuits do not use their persuasions, as also the terror of excommunication, to procure any such assessments, or levies of monies?

5. *Item.* You shall enquire and inform yourselves, whether any of the parliament did stir up, cause, or procure petitions to be drawn and preferred unto themselves, complaining of undue elections and returns to the parliament? Or did send or cause to be sent messengers to move any that did pretend to be elected knights, citizens, or burgeses, to complain, and whether there were any such kept in Dublin at the charge of the country? From whence they came, and how, and by what means their charges were gotten

gotten from the country? And who were made agents and procurers in any the points aforesaid?

6. *Item.* You shall enquire and inform yourselves, whether the number of the knights, citizens, and burgessees, that chose Sir John Davis or Sir John Everard, speaker of the lower house of parliament, were the greater? And whether any of those that were the choosers of Sir John Everard could speak no English, and how many? And what and how the manner of placing or displacing of either of them as speaker was? Learn and observe the true and material circumstances of that matter.

7. *Item.* You shall enquire and inform yourselves, what were the true causes, as well as the pretended causes, why that part of the lords and commons that withdrew themselves from the parliament, did so withdraw themselves? And who were the authors, procurers, movers, or persuaders thereof? And what were the means used to bring it to pass?

8. *Item.* You shall enquire and inform yourselves, whether the lord deputy did order and conclude, that an indifferent committee of both houses should be chosen to examine the undue elections and false returns complained of? And whether the lords and commons that withdrew themselves from the parliament had notice thereof? And by whose means, and by whose default it was, that the same motion took no effect? and what was the reason thereof?

9. *Item.*

9. *Item.* You shall enquire and inform yourselves, what number of armed men were drawn into the city of Dublin, to attend the parliament? And at whose petition, and what was the cause thereof?

10. *Item.* You shall enquire and inform yourselves, whether the lords, knights, citizens, and burgeses, or some of them, did not come to Dublin to the parliament, with extraordinary companies of men, and followers? And who these were that came so extraordinarily accompanied? And with what numbers? And whether their followers did not continue with them in town so long as the said lords came to the parliament house?

11. *Item.* You shall enquire and take knowledge of any other thing unduly, indirectly, or disorderly practised, done or committed, concerning the parliament, or to the disturbance of the same.

Other Instructions likewise given by his majesty, out of his gracious and princely care of the good estate of his said kingdom of Ireland, to be reported by the said commissioners to his majesty, of any general grievances upon his subjects of that kingdom; that his highness may be pleased to give his royal directions, for redress and relief, according to his princely wisdom and justice.

1. **I**MPRIMIS. You shall enquire and inform yourselves, whether the laws that are in force

force in our said kingdom of Ireland, for the maintenance and advancement of the religion there established, be put in due execution, and whether the said religion be by the natives had in reverence and respect, or not; if not, what be the causes and reasons thereof, and how the same may be provided for and remedied.

2. *Item.* You shall diligently enquire and inform yourselves, if there have been any general, great, and notorious extortions and oppressions in the martial men and soldiers, within the space of five years last past, before the date of this commission? And what are the kinds of the extortions and oppressions? And whether the martial men and soldiers have used within that time to cesse, where composition is paid in discharge of cesse? Whether any, and what countries and places have been double charged? And by whose warrant, toleration, or connivance, such oppressions were committed? And whether some captains have not used to withhold their soldiers pay, which have been an occasion, that they have the rather extorted upon the country? And who are the special procurers, or were, or are offenders in any the points aforesaid? And what hath been done for redress of such abuses there already? And what are the best and fittest means to prevent and reform the same hereafter?

3. *Item.* You are to enquire and inform yourselves, whether the carriage masters, and other inferior ministers, have, within the same time,

time, oppressed the people, by colour of their offices, upon general hostings made by the lord deputy, or in other cases? What are the kinds of such their oppressions? And who were, and are the principal offenders in that case, either by act or connivancy? And how these abuses may be hereafter remedied and reformed.

4. *Item.* You shall enquire and inform yourselves of the extortions and ill practices of sheriffs, and their under sheriffs, and other like ministers and officers, what are the principal kinds of the same? Who have therein, within the time aforesaid, offended notoriously? And what are the fittest means to reform the same?

5. *Item.* You shall enquire and inform yourselves, whether any yearly profit be usually made by way of composition or dispensation with those that break the act and order of council, made in our said kingdom, against the use of certain ploughs, called Short Ploughs, by which the ground cannot be well husbanded? Who they are, that gather or receive such yearly profit or composition, and to whose use? By whose warrant or toleration the same is done? Where, and in what part of the kingdom? And how much the same is conceived to amount unto yearly? And whether it be not fit, that those kind of ploughs be forbidden, and not used?

6. *Item.* You shall likewise enquire and inform yourselves, of the extortions and ill practices commonly used by officers of all sorts, and inferior clerks, as well in the courts of justice,

as

as elsewhere, within the time aforesaid; and namely, in the court of exchequer; and of taking of excessive fees; who have been the principal offenders that way? And what is the best course for prevention and reformation thereof?

7. *Item.* You shall enquire and inform yourselves, of such other general and notorious grievances, as you shall find to be to the common hurt of the subject, who are the chief offenders? And how the same may be best prevented and redressed?

8. *Item.* You shall diligently and thoroughly inform yourselves, of the new plantation, or intended plantation of Wexford, and what proceedings have been had thereupon? What they are? And how many households and persons that are removed, or to be removed from thence? And of what condition? Whether they, and their ancestors, have been faithful to the state? How long they have been in possession? And whether by descent, or by tanistry? And who they are, that are to be planted there in their rooms? And of what condition are both the principal undertakers, and their tenants and farmers? Whether any of them be of the Irish, and namely, of the Cavenagh's? Whether the said persons that are brought, or to be brought thither, and their ancestors, had been likewise faithful to the state? And whether any were removed, when corn sowed by them, was growing upon the ground? And whether they are permitted to have and take their own corn, so sowed
by

by them, or not? And what dwellings and habitations are provided and assigned unto them in lieu of their former?

9. *Item.* You shall enquire and inform yourselves, whether the said persons that are removed, or meant to be removed, have offices, or will perform, pay, or do all things, either in buildings, or maintainings of castles or forts, or paying or rendering to the crown the same rents, services, and profits, and bearing all other charges that the now undertakers are, by their bargains, to do, pay and perform?

10. *Lastly,* You shall enquire and take knowledge of any other thing fit to be understood, and certified unto us, concerning the said plantation of Wexford.

The commissioners return and certificate,
concerning the first paper of Instructions.

WHEREAS, by his majesty's commission, under the great seal of England, and the instructions thereunto annexed; and bearing date the 27th of August, of his majesty's reign of England, France, and Ireland, the 11th, and of Scotland the 47th, directed to us, Arthur, lord Chichester, of Belfast, his majesty's deputy of the said realm of Ireland, Sir Humphry Winche, knight, one of the judges of his majesty's court of C. B. at Westminster, Sir
Charles

Charles Cornwallis, knight, Sir Roger Wilberham, knight, one of the masters of request to his majesty in ordinary, and George Calvert, esq; one of the clerks of his highness's privy council in ordinary, requiring us to examine divers pretended practices and abuses concerning the parliament lately summoned, and assembled at Dublin ; as also other general grievances upon his majesty's subjects, in the realm of Ireland : and thereof, to certify his majesty distinctly into his high court of chancery, under our seals. We have accordingly, this 12th day of November, in the year aforesaid, at the city of Dublin, in his majesty's said realm of Ireland, made diligent enquiry, and informed ourselves, as well by the depositions of several witnesses, by search of records, certificates from the reverend fathers, the lords bishops of the said kingdom, from the justices of assize, officers, clerks, and ministers in his majesty's courts of justice, as by other good ways and means, concerning the premisses, as by his majesty's said instructions we are directed. And we do humbly make this our certificate under our seals, as by the said commission we are required.

Concerning matters of parliament.

I. **I**MPRIMIS. We have enquired and informed ourselves, by certificate upon oath, from the clerks and officers of the chancery, who issue the writs, and receive the returns, and keep

keep the records of parliament, that the writs have been sent forth to the sheriffs of every county within this realm, for election of knights, citizens, and burgeses to this parliament, in the usual form ; and we find, that the knights, citizens, and burgeses, have been returned from all counties, antient cities, and boroughs, without omission, of any that hath appeared, either by record or deposition of witnesses, to have right to be returned to the said parliament.

2. TOUCHING fraud, force, or other unlawful practices in the elections and returns of knights, citizens, and burgeses, for the shires, cities, and boroughs complained of, namely, in the counties of Armagh, Cavan, Down, King's county, Limerick, Fermanagh, Tyrone, Roscommon, the county of the city of Dublin ; and the boroughs of Carlingford, Trim, Kildare, Wicklow, and Cavan, upon diligent enquiry made, concerning the sheriffs or officers, charged with undue practices, and the parties supposed to be wronged by the same, with their proofs and witnesses on both sides, we find in every of them, as followeth :

IN the county of Armagh, the election-day being on Thursday the 22d of April, the sheriffs requested the gentlemen and freeholders to meet at Armagh the day before, to confer of the election, the Irish supposing (as they said) that day to be the day of choice, the sheriff signified unto them, that the morrow after, was the day appointed for the election ; at which day,
in

in the morning, he attended the coming of the freeholders, near the shire-house, till nine o'clock; and about that hour, the Irish and British freeholders, then present, entered into the said house; he read the writ, and Sir Toby Caulfield and Sir John Bouchier, being propounded to be knights, Henry Mac Shane O'Neill, complained to the sheriff, that some of the Irish freeholders were kept out of the house by soldiers at the door; whereupon the sheriff went down, and commanded, that no freeholder should be debarred entrance, and returning, proceeded to the election; when, by the greater number of voices then present (being thirty) Sir Toby Caulfield and Sir John Bouchier, were elected, there being then not above seven or eight Irish freeholders present; in regard that Neill-mac-Tirlagh O'Neill, offering to come into the house, and being crossed by one at the door with a halbard (supposed to be a soldier) would not afterwards enter, though invited by his brother; but, together with 20 others, who never offered to come in, departed upon this pretended occasion, being also forewarned by Henry Mac Shane, not to stay after 9 o'clock; for that all elections after that hour were void; which twenty, notwithstanding, with some other of the Irish, to the number of 41 freeholders (as they alledged) but upon examination, found to be but 27; about eleven o'clock the same day, assembled in the church, and there, without either the presence or privity of the sheriff,

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electd Sir Tirlagh Mac Henry O'Neill, (who can speak no English) and Henry Mac Shean O'Neill, and presented their names to the sheriff; as to the force, it was no other than this, that the sheriff brought with him six soldiers, three pike and three shot, to keep the peace, in case any tumult should arise, and left them near the shire-house, at his going into the election, without any commandment given (as the sheriff deposed) to stay any freeholder from entrance. Nevertheless, one with a halbard in the company of the soldiers, but denied to be of the six brought by the sheriff, did stop Neill Mac Tirlagh from entering as aforesaid; and this was all the force found by the commissioners in the election.

IN Cavan; that the day of the assizes, and the day of the election, was the same, namely, the 6th of April, where the freeholders of the county being assembled in the nether end of the shire-house, the judges sitting in the other part; after proclamation, and reading the writ, the sheriff required the freeholders then present to proceed to election about eight o'clock; whereupon, captain Fleming, and others, who (as some depose) had formerly moved the sheriff for a further day, and had some hope given them of the same, did now move their request, which the sheriff denying to grant, in regard that day was the proper day (being the next county day after the writ received) captain Fleming, and divers other Irish freeholders, departed the house,

house, captain Fleming, publickly saying, that if the sheriff meant to take that course, and give no further day, he might do what he would, for he and those with him would have nothing to do with that business. The sheriff proceeded, and by the greater number of freeholders then present, Sir Oliver Lambert and John Fishe, esq; were elected knights; which done, captain Fleming, and others, who had departed, instantly entered, and presented a paper signifying, that they had elected Richard Tirrell and Walter Talbot, knights; to whom the sheriff answered, that the choice was already made; which, notwithstanding, they cried, Tirrell and Talbot; and the others cried Lambert and Fishe, whom the sheriff returned.

In the county of Down; it is agreed on all hands, that May day was the county day for election, which the sheriff held at Newry, after sufficient notice given; at which day, between eight and nine o'clock, the sheriff proceeded to election, moved the freeholders to choose Sir Richard Wingfield and Sir James Hamilton, being recommended to him by the lord deputy. But the natives named Sir Arthur Magenis and Rowland Savage: whereupon, all the British freeholders, being 131 (as is deposed) cried, Sir James Hamilton and Sir Hugh Montgomery, rejecting Sir Richard Wingfield; and the Irish, to the number of 101, cried, Sir Arthur Magenis and Rowland Savage. Exceptions being presently taken to divers of the British free-

Y 2

holders,

holders, who voted for Sir James Hamilton and Sir Hugh Montgomery, for want of freehold in some of them, fourteen of them were examined upon oath, and deposed to their freeholds, upon which the two last named were returned, to which the Irish made objections before us, which we found to be partly untrue, and partly frivolous, not fit as we conceive, to be inserted in our certificate.

IN the king's county ; on the 20th of April, the freeholders assembled at Phillipstown, to elect knights ; and some of the Irish having consulted together the same morning, attended the sheriff to the shire-house, between eight and nine o'clock ; where the writ being read, Sir Francis Rushe and Sir Adam Loftus, were propounded by some of the freeholders, as the fittest men to be elected. But Philip O'Dugan delivered to the sheriff two several lists of names in paper, who, he said, had given their voices for Sir John Mac Coughlan and Callagh O'Mulloy, whom they had chosen already, and they would have no other ; and upon the delivery of the list, they cried out, Mac Coughlan and O'Molloy ; the other side, to the number of sixteen, gave their votes publickly for Sir Francis Rushe and Sir Adam Loftus ; the under sheriff received the papers, and made up the indenture for Mac Coughlan and O'Mulloy, having the greatest number of names in the list, which indentures were accepted by the high sheriff, yet notwithstanding, he returned Sir Adam Loftus
and

and Sir Francis Rushe, alledging, that the greatest number of voices given publickly, were more for them than for the other. In which proceeding, on the part of Mac Coughlan and O'Mulloy, we find this miscarriage, that two gentlemen, whose names were returned in the list, upon the reading disavowed the same, and subscribed to the other part. Some other also confessed, he set his hand to the list after the election was done ; and Sir Terence O'Dempsey being absent, gave his voice by proxy to the said Mac Coughlan and O'Mulloy ; which O'Mulloy cannot speak English.

IN the county of Limerick ; it is deposed by divers witnesses, that Sir Francis Barkely and Sir Thomas Browne, were chosen knights by the greatest number of freeholders present, and accordingly, they were returned by the sheriff : but on the other part, it was deposed, that the greater number of freeholders gave their voices for Geoffry Galloway and Edward Fitz-Harris, against whose pretended election it was objected, that divers of the voters for them were not freeholders, for proof whereof, it was confessed, that there were a far greater number of persons appearing as freeholders, that gave their voices for Galloway and Fitz-Harris, who were never enrolled or known to have freeholds for any other service of the king ; and it is also acknowledged, that some put their names to the indenture of that pretended election, who were not present ; the difference of which election had
Y 3 been

been determined by the sheriff, had the polls been taken at the time of the choice, which (as was deposed) he was required to do, but is denied by himself, and divers others, upon their oaths.

IN the county of Fermanagh; the parties supposed to be elected, and not returned, were both sent for, the one, Connor Roy Maguire (who can speak no English) forbore to come; and the other, Donnol Maguire, being indicted the last assizes for treason, broke prison, and hath betaken himself to the woods. Yet we, for our information, proceeded to the examination of witnesses on both parts, and for any thing that appeared unto us, the sheriff made a just return of Sir Henry Felixt and Sir John Davis. Concerning the force supposed to be used at the election, it is confessed upon oath, by Bryan Maguire, whose beard was said to be pulled from his face, that captain Gower did shake him by the beard, but pulled no part of it away, nor did him any other hurt.

IN the county of Tyrone; the only controversy was, whether Sir Thomas Ridgway, returned by the sheriff, or captain Tirlagh O'Neill, were chosen by the greater number of freeholders; and upon examination of witnesses on both parts, it appeared, that the British freeholders, who voted for Sir Thomas Ridgway, were 34, whereof five (who were excepted against for want of freehold) were examined upon oath, and avowed themselves freeholders; those

those for Tirlagh O'Neill (who cannot speak English) were 28, and those without exception.

In the county of Roscommon; they find, that after Sir Oliver St. John, was elected for one of the knights, and the sheriff proceeding to the choice of the second, there were then named Sir John King, Charles O'Connor, and captain O'Kelly, and there being a difference in voices, and the company accordingly standing, divided; it is deposed by the sheriff, and four of the antient justices of peace of the said county, that Sir John King had a greater number of voices, than either O'Connor or O'Kelly, which O'Connor, then present, contradicted, but produced no witnesses to justify his pretended election, although thereunto formerly required by us by letter; but he desired another day, and named eight persons, against whom the sheriff then present, took no exception, by whose testimony he undertook to prove his allegation. Upon this second appointment, he appeared and brought with him his whole number of witnesses, speaking and among them there was but one of the eight first nominated; the rest, as he said, he could not procure to come, nevertheless, we took their examination, and seven of them deposed, that O'Connor had the greater number of voices; and one deposed, that upon numbering by poll in the house of election, there were more voices for Sir John King, than for the other. In this election, there appeared to us to be no fraud nor force; only the

vice president, and the sheriff, having put out some horse boys, and beginning to number the freeholders on either part, by the polls, the door was kept until that was done.

IN the county of the city of Dublin; the sheriffs were commanded by writ, dated the first of April last, that proclamation being made within the county of the city, of the day and place of holding the parliament, they should make choice of two citizens, according to the form of the statute. The sheriffs by their warrant, dated the second of April, writing the king's writ, commanded Sir James Carrol, knt. mayor of the city, to make choice, accordingly, the 20th of April after, the said warrant made to the mayor, the sheriffs held their first county court, at which, many of the recusant citizens assembled, and persuaded the sheriffs, in the absence, and without the privity of the mayor, to make choice of citizens to the parliament, promising them to save them harmless for so doing. Whereupon the sheriff proceeded to election, and then Francis Taylor and Thomas Allen, two aldermen, were chosen without contradiction. The 27th of April, the mayor taking the first election to be void, about 10 o'clock of the forenoon, gave directions for proclamation to be made in several parts of the city, that at 2 o'clock of the afternoon of that day, he would proceed to election, at a place called Hoggin, near the city, and within the liberties of it, which was made accordingly; at which
time

time and place, in a great assembly of the inhabitants, as well free as not free of the city, the mayor nominated Richard Bolton, recorder of the city, and Richard Barry, one of the aldermen, to be chosen. The adverse party nominated the said Taylor and Allen, formerly by them elected. The mayor remaining doubtful, whether side had the more voices, willed the company to divide, upon which the greater number seemed to the mayor (as he deposed) to be for Bolton and Barry, and therefore, he returned them as elected, without numbering the polls,¹ against which returns, three objections are made by Taylor and Allen : first, that the former election by the sheriffs was good and lawful ; then, consequently, the second void, which we leave to be decided, upon consideration of the statute 33 Hen. 8. sess. 2. cap. 1. in Ireland, and the statute made in England, now in force in Ireland. Secondly, that the mayor proceeded to election before two o'clock, which was the time limited by the proclamation. Thirdly, that Taylor and Allen were then also elected by the greater number present ; for deciding which two last questions, we examined the two sheriffs, and thirteen on the part of the mayor, men of very good estate and account, who deposed, that the election was made as they conceived, within the due time limited by the proclamation ; and that the greater number then present, in their judgment, gave their voices for Bolton and Barry. On the other part,
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we examined fifteen others, some of them aldermen, who deposed, that in their opinion, the election was made before two o'clock, and that the greater number, then present, gave their voices for Taylor and Allen.

IN the town of Carlingford ; there was a due proceeding in the election, and captain Roger Hope was chosen for one burges, by the greater number of voices, without controversy ; and Marmaduke Witchuren, the other burges, had as many voices as White or Merryman, who pretended to have been elected : whereupon, one of the bailiffs, and the deputy of the other, who was absent, returned to the sheriff, by indenture, the election of the two former.

IN the town of Trim ; the sheriffs, after receipt of the precept for election of burgeses, on Friday the ninth of April, in an assembly of the townsmen, agreed, that the election should be on Monday after, and Sir John Elliot, one of the barons of the exchequer, and Sir James Dillon, both burgeses, being sent for upon the Friday, Elliot returned for answer the same night, that he could not be there on Monday : whereupon, the next day, being Saturday, between 9 and 10 o'clock, the portrieve, and divers of the chief of the borough, meeting at their usual place on the bridge, appointed Tuesday for the election, and the serjeants of the town were commanded to warn all the inhabitants to be there upon that day, and to diswarn them from coming on Monday, which was done ;
howbeit,

howbeit, Sir James Dillon, being a near dweller, a burges, and a principal man there, coming to town on Monday, he, the portrieve, and some others of the borough, went together to the court-house; and the portrieve, notwithstanding the former warning for Tuesday, commanded the serjeants to give warning to the townsmen to come instantly together for the choice of the burgeses, whereby the greater number of such as were then present, were chosen Henry Gory and Anthony Cusack. This proceeding being misliked by Sir Thomas Ashe, and some other of the burgeses that were not present, nor had warning for that day, the portrieve refused to seal the indenture of that election, but appointed another day for a new election, on which day Henry Gory, one of the formerly elected, having both before, and at that instant, shewed a desire to relinquish his place, gave his voice for Sir Thomas Ashe, who, with Sir Roger Jones, were by the greater number of burgeses and inhabitants then present, elected for burgeses, and returned by the portrieve to the sheriff.

In the borough of Kildare; we find that Walter Fitz-Garret and Thomas Farbeck, were duly elected burgeses, notwithstanding Walter White, sovereign of the town, returned Gilbert Domvile and William Cooley, who were not elected.

In the town of Wicklow; we find that the sheriff, after receipt of his writ, directed his warrant to Patrick Conway, then reputed portrieve

trieve of Wicklow, for choosing burgesſes to parliament ; which warrant being delivered to the deputy conſtable, and by him to John Wolverſton, gent. the ſaid Wolverſton, in an aſſembly of the inhabitants which the portrieve had ſummoned together (as he depoſed) for no other purpoſe than to keep a court baron, moved the people, without the conſent of the portrieve, to proceed to election of burgesſes to parliament ; at which time the ſaid Wolverſton and one Robert Barnewell were choſen by the greater number ; againſt which election it was objected, firſt, that the proceeding was without the conſent of the ſuppoſed portrieve ; next, that the ſaid Conway was indeed no portrieve, for the town being no corporation before, nor enabled to ſend burgesſes, was newly incorporated ſome few days before the writ of ſummons was ſent to the ſheriff, and in that charter Arthur Uſher, eſquire, was appointed portrieve by his majeſty, who was then abſent, ſo as that election being void, they proceeded orderly to a ſecond election on the firſt of May, where by the greater number of voices Sir William Uſher and Sir Laurence Eſmond, were choſen and returned by the lawful portrieve.

In the town of Cavan, the ſovereign and inhabitants aſſembled themſelves April the firſt, being the county day and the day of the choice of the knights of the ſhire for the county of Cavan, and without warrant or direction from the ſheriff

sheriff elected Walter and Thomas Brady, two natives of that town, to serve as burgesſes in parliament. Afterwards on the firſt of May, the ſheriff directed his warrant to the ſame ſovereign for the choice of burgesſes, who on the third of the ſame month in the morning, ſummoned the inhabitants of the ſaid borough to be preſent at the ſeſſion-houſe for the choice of burgesſes. The inhabitants the ſame morning aſſembled, (and as it was depoſed by divers in that town) the greater number then preſent gave their voices with the ſaid Walter and Thomas Brady, yet the ſovereign returned George Sexton and Hugh Culme to have been duly elected, who had fewer voices, if ſuch witneſſes ſwore truly. After the election made, Sir Oliver Lambert with a little walking-ſtick ſtruck George Brady, one of the inhabitants of that town, on the head, for uſing towards him ſome rude behaviour and giving him ſome unfitting ſpeeches, which is all the force that is proved to have been committed in that election, but his head was not broken.

3. UPON examination of many of the natives, it was confeſſed, that they agreed and reſolved not to chooſe any knights, citizens, and burgesſes that repaired to church according to the laws and ſtatutes of the kingdom, and that the jeſuits and prieſts ſo directed and adviſed: this was a general combination of the natives in many parts of the kingdom, without any ſpecial author known to us; the reaſon of that conſpiracy was, for that they heard ſome laws were to be propounded at
this

this parliament concerning religion, or for the banishment of priests.

4. UPON the resolution of the lords, knights, and burgeses to depart from parliament, the knights and burgeses of the Romish religion agreed and undertook to levy great sums of money in every shire and borough for which they were elected, for the charges of their agents to be sent into England to complain of the wrongs supposed to be done them in the proceedings of parliament, and other pressures of the kingdom, which sums amounted to above two thousand pounds, as we conceive by fundry examinations, but the certainty thereof we could not learn, for the collections and receipts of which money, divers lawyers, priests, and others were employed; and the people, incited by some priests to pay the portions imposed upon them by threatening excommunication. It appeared also unto us both by letters of popish bishops, whereof we saw some copies, and also by depositions of witnesses, and certificates of some of the lords bishops of the kingdom, that divers exactions were made and levied by authority of the Romish archbishops and provincials in the province of Munster, and in many other parts of the kingdom; the which we say, that the priests do still collect and cause to be collected, notwithstanding the king's late proclamation against such taxations and collections, the manner of these impositions were said to be yearly as follows: namely of every married couple,

12*d.* of every person of twelve years of age 6*d.* for every christening and marrying, 2*s.* 6*d.* and 6*d.* to the clerk; at every burying of any person of worth, the people yield offerings, which are dividable between the priests and the friars, and part for scholars breeding in seminaries beyond seas, and the priests also make collections at the keeping of the months minds of the deceased principal men and women, for the maintenance of three abbies in Munster, the people pay yearly certain ridges of corn of all sorts, with mutton, lambs, butter and such like, the last year the friars of Kilcrea in Munster had 140 muttons, 30 porks, besides butter, eggs, and such like victuals in great abundance, as we were informed by persons of quality.

5. It did not appear to us by any direct proof that any of the parliament house procured petitions to be exhibited to themselves complaining of undue elections or returns, but that the parties pretending to be chosen were incited to complain by the country, and the charges of some of them for coming up and attending at Dublin for that purpose, were borne by a voluntary contribution of the country collected without warrant.

6. THE 18th of May being the first day of the parliament, the knights, citizens, and burgessees assembled in the lower house where Sir Thomas Ridgway, bart. and treasurer at wars, moved them to elect the attorney general Sir John Davis, for speaker, whom the king had recommended,

recommended, as he then signified: whereupon Sir James Gough, alledged, that such as were returned to serve for the boroughs newly erected, and such as were not resident in the boroughs for which they were returned, were not lawful members; and therefore desired those questions should be first examined and decided before the house proceeded to choose their speaker, and being urged to deliver his opinion whom he thought fit to be speaker, he nominated Sir John Everard, knight, which speech of Sir James Gough was seconded by Sir Christopher Nugent, and William Talbot the lawyer, who alledged, that they thought it fit to purge the house of such members as were not lawfully called thither, before they proceeded to elect a speaker; whereupon Sir Oliver St. John, knight, master of the ordnance, declared to the house, that they were first to choose a speaker, and then to appoint a committee to decide all questions and controversies, and nominated again Sir John Davis, for speaker, with whom the greater number then present gave their voices, whilst others cried Sir John Everard. For the deciding of the question, who had the greater number of voices, Sir Oliver St. John, and all the rest, who gave their voices with Sir John Davis, went forth into the outer house and caused the door to be locked, as the use is when the house is to be numbered, those which cried Sir John Everard remaining still in the house. This division of the house being so made, Sir Thomas Ridgway,

way, and Sir Richard Wingfield, marshal, moved Sir Christopher Plunket, and Sir Richard Nugent, who gave their voices for Sir John Everard, to number the polls of them that were in the house; but they refusing to join in numbering them, Sir Thomas Ridgway and Sir Richard Wingfield attempted to number those in the house, from which they were hindered by the rising of the parties out of their places, and joining together in several confused companies, then Sir Thomas Ridgway and Sir Richard Wingfield returned into the utter house, purposing to number those who had given their voices for Sir John Davis, they that remained in the house cried an Everard, and placed him in the speaker's chair; the which Sir Thomas Ridgway and Sir Richard Wingfield perceiving, willed those that were present to pass again into the house, and the one of them standing on the one side of the door, and the other on the other side, numbered the polls as they came in, which were 127 besides Sir John Davis himself (the intire number of the whole house, if they had all appeared being but 232) six whereof were absent. So that it manifestly appeared that Sir John Davis was elected by the greater number then present: therefore Sir Thomas Ridgway required Sir John Everard to leave the chair to Sir John Davis, who was chosen by the greater number: yet Sir John Everard sat still in the chair, and refused to come forth: whereupon Sir Oliver St. John told Sir John Everard, that they should

be enforced to pluck him forth, if he would not of himself remove. The said Sir John Everard still sitting in the chair; Sir Thomas Ridgway, Sir Richard Wingfield, Sir Oliver St. John and others, brought Sir John Davis to the chair, and lifted him into Sir John Everard's lap; the knights perceiving Sir John Everard would not give place to their speaker, they lifted Sir John Everard out of the chair, and some of Sir John Everard's part holding him by the collar of the gown to keep him in the chair, Sir John Everard's right leg was somewhat strained (as he said) being before infirm, but at that time he found not himself much hurt; and Sir John Davis being placed in the chair, Sir John Everard, and all who gave their voices with him, in number but 98, went forth into the utter house of parliament, and being required by the speaker, and those that remained in the house, to return into the house, they refused, William Talbot, the lawyer, publickly using words to this purpose: "You that are in the house, are no house; and the speaker, no speaker; therefore we will not join with you, but we will complain to the king and the lord deputy;" and so departed the house. The parliament being adjourned to the Friday after, at which the lower house were to present their speaker to the lord deputy; they being assembled, Sir John Everard, and all who had given their voices for him, did forbear to come to the house; the rest of the house being

being the greater number of knights, citizens, and burgesſes, preſented Sir John Davis, for their ſpeaker, to the lord deputy, who approved their choice. Of thoſe who gave their voices with Sir John Everard, only two could ſpeak no Engliſh.

7. THE lord viſcount Mountgarett, the lords barons of Slane, Delvin, Killene, Trimelſton, Houth, and Cahir, being before us, do proteſt upon their honours, that the only motive of their departure from parliament, was, that they heard ſome of the lower houſe had withdrawn themſelves, and for the reaſons expreſſed in a petition directed from the lords and others of the nobility, to the lord deputy the 21^{ſt} of May laſt, wherein they complained of the multitude of new corporations, undue elections and returns of knights and burgesſes, drawing of forces in the city at that time, holding the parliament in the caſtle of Dublin, confuſion and diſorder in the lower houſe at the election of the ſpeaker, with divers other pretended abuſes of this kind particularly mentioned in the ſaid petition, and therefore excuſed their appearance afterwards in that place, being loth, as they alledged, to be actors or parties in the like proceedings, but that they were moved or perſuaded to this courſe by any perſon whomſoever, they do utterly deny; but did agree together for the reaſons aforeſaid, and in no other to abſent themſelves in this manner, and thereupon the greater part of them gave directions for drawing the petition

aforementioned to the lord deputy ; yet do they not remember to whom they gave such directions, nor who drew it, nor who brought it to them to sign ; and this is all we can gather touching them either by their confessions or by informations from others. For the commons who departed the lower house, having called before us Sir John Everard and twelve others of the principal of them nominated by himself from divers parts of the kingdom, they do affirm upon their oaths, that the disorders in that house on the first day of parliament, at the election of the speaker, caused them to apprehend a fear of some danger to their persons, seeing so many sword's-men in the house, and themselves for the most part in gowns without weapons ; and this, together with the proceedings they saw held in the election of the speaker, before the house was purged of such members as they supposed were unduly elected or returned, and so not capable of voice there, was then the only cause why they withdrew themselves as they did, being (as they protest) an act proceeding from their own judgment, whereunto they were not moved or persuaded by any other. But they now object against divers burgessees returned from the new corporations, that the said corporations had no authority to choose them, their charter bearing date some time after the date of the commission for holding the parliament, and some after the summons to parliament.

It

8. It appears by the confession both of the lords, and also of some of the principal of the commons that withdrew themselves from the parliament, that it was ordered by the lord deputy, that a committee of both houses should be chosen to examine the undue elections and false returns complained of, and they had notice thereof, but thought it not fit to accept of it, because (as they conceived) they should thereby acknowledge Sir John Davis to be lawful speaker.

9. UPON an assembly of the citizens of Dublin for election of their citizens to the parliament, there happened such difference and tumult between the free-men of the city and inhabitants of the same, that the mayor of the city, not able to pacify it, suddenly departed in fear, and made complaint thereof to the lord deputy and council, who examining the matter at the same time, committed some of the free-men for calling to ring the town bell in that assembly, which if it had happened, might (as was conceived) have caused an uproar in the city, where the lord deputy and state are resident. Upon this occasion, the lord deputy foreseeing that there would be an extraordinary number and concourse of people to the city in the parliament time, and that if any great disturbance or broile happened on the sudden, he might want men to repress the same, having no forces but his ordinary guard, and the wardens of the castle of Dublin, his lordship caused one hundred soldiers to be drawn out of four several garrisons,

namely twenty-five out of every garrison ; and these foldiers were reported to be four hundred, because they came in four several companies to the city from several parts, and were cessed and lodged in several towns as is usual in all journies, and there were not any more armed men drawn to the city in parliament time.

10. WE have examined some of the lords and others upon this article, and we do not understand, that any of the lords, knights, citizens, or burgeses came to the town with any extraordinary number of men or followers, only the lord viscount Gormanston came to the city with one hundred horse (as is confessed) whereof there were not twenty of his own retinue, the rest were his friends and kinsmen that went out of Dublin to meet him, the rather because his lady came in his company, but it is confessed there were great numbers of people in the town at that time, who (as they say) came from all parts to behold that assembly.

11. WE cannot learn of any undue proceedings in parliament, other than are mentioned in this our certificate, saving that two burgeses were returned for the town of Clogher in the county of Tyrone, which town never sent burgeses to parliament heretofore, for any thing appearing upon record ; neither have they any charter authorizing them so to do.

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The commissioners return and certificate to the second paper of instructions concerning the general grievances of the kingdom.

I. IMPRIMIS. By several certificates received from the lords archbishops and bishops, the justices of assize and of the peace, and other magistrates and officers, and examination of some other persons in this kingdom, it appeareth, that the laws in force for the maintenance and advancement of God's true religion, are in very few places put in due execution, in regard that in the counties and corporate towns with great difficulty is to be found any jury that will present recusants, themselves being for the most part delinquents in the same kind, and where at any time heretofore they have presented, they themselves have been by their priests excommunicated, and so others terrified by their example; and in the city of Waterford which, is a county within itself; and where there are very few either of the magistrates, or of the people that are not obstinate recusants, such are their late renewed charters and privileges as the justices of assize having no authority to hold their assizes there, the laws of religion cannot be executed.

ALSO that true religion is not by the natives of this country had in any regard and reverence, but rather wholly neglected and contemned; the principal reason whereof we collect to be the multitude of popish schoolmasters, priests, friars, jesuits, seminaries of the adverse church authorized by the pope and his subordinates for every diocese, ecclesiastical dignity, and living of value and note within this kingdom, who residing within the several dioceses do with great vigilance and earnestness continually execrate and dissuade it.

THE small number, less sufficiency and little residence of the ministers and preachers, that should practise and preach it.

THE much want and defect of churches in divers countries either wholly ruined, or so far out of reparations that they are neither decent for the service of God, nor fit for any assembly.

THE justices of peace, sheriffs, and officers of this kingdom of whom many are recusants, who animate these people in their disobedience.

THE number of priests appeareth to be occasioned by a continual fomentation out of the seminaries erected for the Irish in Spain and the low countries, and by the colleges of jesuits, every of which colleges in the low countries instructs and indoctrinates two students of the Irish.

THE defects of ministers and preachers in the most parts of this kingdom grow out of the
want

want of livings wherewith to sustain them, the reason thereof is partly certified to be the multitude of impropriations, and want of convenient endowments, which also appears to be a great cause of the decay and ruinous estate of the parish churches, in regard the said owners and farmers of impropriations will not maintain the chancells, and by their example the people neglect the re-edifying and covering of the churches.

By the great favour and maintenance they find from the noblemen, gentlemen, citizens and men of worth of the natives, who continually harbour and maintain them, and by the long permitted impunity both to themselves and their receivers.

THE ordinary remedy for the redress of these overflowing evils, is, in our opinions, a resolute and constant course to be held in execution of the laws in force for the maintenance of his majesty's authority and jurisdiction in causes ecclesiastical, for compelling his subjects to attend the preaching of the word and hearing of divine service, and punishment of the obstinate contemners thereof, suppressing of popish schools, and establishing of sufficient and religious schoolmasters, the due execution of ecclesiastical censures, the diligent visitations of the reverend fathers of the church in weeding out the popish priests, and instead of idle and scandalous ministers to place those that are learned and painful, and such as shall be resident on their benefices, with some competent provision for them, who
will

will endeavour as well by their outward conversation as doctrine to enure the ignorant to the love of truth, and obedience to the government.

2. UPON our arrival in Dublin the 11th of September, we caused his majesty's commission and instructions to be enrolled, and presently directed our letters to the governors of Munster and Conaught, as also to divers lords, archbishops, and bishops, and to several of the sheriffs of counties and others, concerning the articles of the said instructions, whereby our arrival and the cause of our employment was made known to the people in most parts of the kingdom. Yet during the space of one month at the least after our landing, no one petition was exhibited to us complaining of any grievances, nevertheless afterwards upon the coming over of the lord Killene and Sir Christopher Plunket, two of the late petitioners to his majesty, they exhibited unto us particular instances of oppression and exactions by soldiers, provost marshal and some others, specially those that reside nearest the state, out of which particulars, being many, we selected three score or thereabouts, as meetest to be examined, whereby we might discern what were the several kinds of the soldiers oppressions towards the people, for proof of which selected articles, divers days were assigned to them to produce their witnesses, at which time some of the captains of horse and foot, provost marshals, and some of their soldiers were warned

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ed to appear before us, and thereupon we proceeded in presence of the lord Killene and Sir Christopher Plunket, and some of the parties grieved, and we proceeded to a summary examination of those disorders; and by these examinations and by other means, it doth appear unto us, that the soldiers both horse and foot, have extorted upon his majesty's subjects in manner following: first, in all their journies and thorough-fairs, where, by their warrant from the lord deputy, they are commanded to take meat and drink in the country, paying ready money, or giving tickets for the same; the soldiers nevertheless for the most part, neither pay money nor give tickets as they ought to do; and in cases where the collectors receive tickets for the payment of the country for victualling of soldiers, the collectors and sometimes persons authorized by the principal gentlemen of the country, do get these tickets into their hands, and obtain payment from his majesty's treasurer, and seldom make distribution thereof to the poorer sort to whom it is due.

SECONDLY, the soldiers, where they are cessed, do extort money from the poorer people (besides meat and drink) for every night's lodging three shillings for a horse-man, and two shillings for a foot-man, sometimes more and sometimes less; and certain petty sums are also taken for their boys and attendants, besides victuals; and it happeneth sometimes, that the soldiers that take cess, take money, as well for themselves

themselves as for other soldiers absent, which the country call *blackmen*, because they are not seen; and sometimes soldiers in pay, and others discharged out of pay, and divers vagrants in the name of soldiers, take meat and money of the people without warrant, or after the date of their warrant is expired in extortious manner, by two or three or more in a company. And in all these cases, when the people have not money to pay them, they take divers times, forcibly, either some of their cattle, or some of their household stuff for pawns in lieu thereof, whereby breach of peace and affrays are occasioned.

LIKEWISE the soldiers, although they be always enjoined by the lord deputy's warrant to pass to and fro the direct way in their journies, yet do they sometimes make a circular and long course in their thorough-fair, whereby they cels and hurt the people more days than is limited unto them, or is requisite for their journey.

ALSO the soldiers in journies, being celled in small numbers in villages by the collectors, according to the ability of the places, they do sometimes take money in the towns wherein they are assigned to take their lodgings and victuals, and depart the same and lodge themselves without warrant near the same place, whereby the people bear a double charge.

MOREOVER it appeareth, that some officers of bands have taken monies of townships to forbear to cels upon them in their journies, and have celled upon the towns not far distant from thence,

thence ; and these exactions are committed by soldiers in counties where the composition in lieu of cess is paid, as in other places ; wherein is to be observed, that by the tenor of the composition, the counties are to victual the soldiers in their passage at usual rates ; a matter reserved for necessity of state.

THE soldiers do not only commit these abuses in their thorough-fares, but when they are sent into the the country upon other employments.

THE provost-marshal (whereof there is one at the least in every province) have likewise certain men to attend him, who do exact victuals and money in their passage up and down the country from the people, and commit other disorders as soldiers do ; which extortions have been committed by the soldiers and the rest of themselves without any warrant at all, or connivance of any, so far as hath appeared unto us.

AND notwithstanding the oppressions in these kinds are very many (as may be seen by their informations to us exhibited from divers parts of the kingdom) yet, for any thing appearing unto us, very few have complained thereof to the lord deputy ; who upon their complaints hath given order for redress of such grievances as hath been manifested unto us.

THE reasons wherefore the people pretend to have forborne to make their complaints, is the fear they have had to be worse used by the soldiers complained of at other times, and that the

the charges of the complaint would far have exceeded their damages and losses, although they cannot deny but the lord deputy hath given as easy access and as speedy remedy as hath been given by former governors.

THE names of some few soldiers that are offenders in these kinds, and are yet in pay, appear in our examinations, others are dead or discharged, and in many of the complaints against soldiers, their names are not known to the parties, neither have the soldiers or others complained to us for want of pay by their captains, although some of them have been by us required publickly to deliver us their knowledge therein.

THE means to prevent extortions and exacti-
ons of these and such like, are, in our opinions,
the due execution of the orders and directions
given and proclaimed by the lord deputy and
council, whereof we have copies from the lord
deputy by him subscribed, and also the care
and diligence of upright, learned, and sufficient
judges, who in their several circuits and places
will attend the complaints of the oppressed, and
are able to discern of the wrong, and have
courage to punish the offenders, and shall do
right, if impediment be given to the ordinary
proceedings against transgressions, except upon
some extraordinary occasion for his majesty's
service, to be allowed and directed by the lord
deputy for the time being.

3. THE carriage masters and their ministers are employed in general hostings, or at such time as the lord deputy marcheth with the army, and we find little cause of complaint against them at this time. For that where former lord deputies had general hostings every second or third year at least, the lord deputy during these nine years hath not charged the country with general hostings above twice, the first for suppressing the traitor O'Dogherty, and the last for settling the plantation in Ulster, wherein he shared the attendance of the nobility and gentry, that are bound by their tenures to attend at general hostings, and contented himself with seven hundred and twenty carriage-horses for that journey, or thereabouts; where it appeared by ancient ordinance entered in the council book, that the five shires in the English pale are to yield at every general hosting twelve hundred carriage-horses at the least, besides the rising out of the nobility and gentry, so as we find no oppression in this kind, nor cause of complaint.

4. THERE be divers complaints against sheriffs in general, namely, that sundry sheriffs have no freehold or habitation in the counties for which they serve, as they ought to have by the laws of the kingdom; also that divers of them have no settled estates of land or freehold in other places; and having gathered rents and other duties for his majesty, they depart without passing their accounts, which appeareth to be true:

true : and the reason thereof is affirmed to be, that in the civilest countries in the English pale, and in other counties within the kingdom, there are found very few protestants that are freeholders of quality fit to be sheriffs, and that will take the oath of supremacy as by the laws they ought to do, and by the lord deputy's order no sheriff is admitted till he enter into sufficient bond for answering his accounts.

It is likewise a grievance complained of and found true, that many sheriffs, especially those of the meaner sort, do suffer their men, bailiff, and followers to take victuals of the country for themselves without money, and sometimes both money and victuals ; and that in gathering in his majesty's rents, and the fines for using the short ploughs, and other impositions, as building of bridges, and such like, they do take of the people, besides the principal duties twelve pence in the pound, and sometimes greater sums for their private uses, for which the sheriffs give no reason, but that the same is taken towards their charges in collecting those duties, in regard of the little benefit which their office otherwise yieldeth.

For prevention of which extortions, and others of the like nature, the lord deputy hath made and published certain orders heretofore, whereof the copies are ready to be presented, together with the care and diligence of his majesty's judges in their several circuits, in punishing the offenders, will prevent (as we conceive) the like enormities hereafter.

5. THERE was an act of council made in the year 1606, restraining the use of that barbarous custom of drawing ploughs and carriages by horses tails, upon pain of forfeiting for the first year's offence, one garron, for the second, two, and for the third, the whole team. Notwithstanding, this was not put in execution for almost five years after ; and yet the fault not amended, until that in the year 1611, captain Paul Gore, demanding seven or eight score pounds, due unto him from his majesty for pay of certain soldiers entertained by him upon the lord deputy's warrant, did for that and other extraordinary services in the time of O Dogherty's rebellion, desire the benefit of this penalty for one year, in one or two counties, and no more ; which the lord deputy was contented to grant, limiting him to ten shillings Irish for each plough so offending. In the year 1612, the lord deputy gave order to have the penalty levied within the whole province of Ulster, after the rate of ten shillings English upon every plough drawn as aforesaid ; and the monies so raised, amounting to 870*l*. were applied to publick uses, as appeareth by an account ready to be shewn, both of the collection, and of the employment of the said monies, under the hands of divers of those gentlemen unto whom the lord deputy committed the same in the year 1613. The penalty of ten shillings English upon a plough hath been taken up to the use of Sir William Uvedall, upon whom his majesty hath bestowed it, being

passed unto him by letters patent, with reservation of 100*l.* Irish yearly rent to his majesty; the profit whereof this year already confessed to be received, by those authorized by Sir William Uvedall, within the province of Ulster is 800*l.* sterling or thereabouts, although we are informed the charge imposed upon the people is much more; and we find that other collections this year have been made of those fines in the province of Conaught, and in some counties of the pale, but without the lord deputy's warrant; neither can we discover what the fines so collected amount unto.

AND albeit divers of the natives do pretend a necessity of continuing the said manner of ploughing, as more fit for stoney and mountainy grounds, yet, in our opinions, we think it not fit to be continued, being generally condemned by the English inhabiting in those parts, for an uncivil and unprofitable custom.

6. WE find it a matter of much difficulty, and uncertain to discover the extortions of clerks in their several places, in respect their offices are changed, and that very few of the judges or clerks, from whom knowledge is to be had of these things, have been of any long continuance in their places. Yet thus much have appeared unto us, that in his majesty's court of exchequer, which court is most complained of for the innovation and exaction of fees, some new offices, not known to be used in this exchequer for these sixty years past at the least, are lately erected, with

with new fees from his majesty, whereby an annual charge is increased to the crown, and the subjects compelled to pay more fees, and attend more offices than they were accustomed to do, so, as in some particular cases, the fees of clerks do increase to a greater sum than the duties paid to his majesty, and sheriffs cannot pass their accounts without double the charge their predecessors heretofore used to pay; many clerks of courts do seek to make their fees equal both in number and value with the fees paid to like officers in England, which seemeth heavy to the subjects of this kingdom, being generally of much less ability. For some redress herein, we have given directions to the clerks in his majesty's four courts, the clerks in the star-chamber, clerks of the council, clerks of the crown, and to the officers of the two provinces of Munster and Connaught, to certify us in particular the nature of their fees, and the quality thereof in every kind, and they have made certificate unto us, under their hands, of their several fees, which we have ready to present, to the end, if his majesty please to give redress therein, it may be considered and certified by his judges in the several courts, and others whom it may concern, and by the several clerks respectively, what fees are taken in England in the like cases, and afterwards their certificates may be transmitted back into Ireland, and upon review by the lord deputy, and the several judges there, may be established and published, which the people do much desire.

7. THE enormities aforementioned are the most notorious grievances in this kingdom, and we have not received information of any other worthy to be certified herein to his majesty.

8, 9, 10. THE new plantation intended in the county of Wexford in the province of Leinster, is to be made in the two baronies of Gowrie, and Ballakenny, and in the half barony of Skeriewalshe, which contain, as they are estimated by survey, about 66800 acres of land, and certain tracts of wood, boggy land and mountain, all lying together in one continent, betwixt the river of Slane on the south, the river of Arklow north, the sea on the east, and the bounds of the counties of Catherlough and Kildare on the west, whereof the profits and occupation have been for many years in the several septs of the Cavenaghs, Kinfaloghes, Mac-Saddoes, Mac-de-Amoores, and Murroughs, and other of the Irish septs, and to some of ancient English, that not long since obtained part of those lands from the Irish. The possessioners claimed and pretended to hold these lands as their freehold by descent, after the custom of Irish gavel-kind, and have been impanelled since the king's time on juries as freeholders, whereof the number presented to be freeholders, and who offered their surrenders, were 440, or thereabouts, as appeareth by the books delivered to us for surrenders, but now affirmed by the natives to be 667, of which fourteen had letters patent for part of their lands from the crown; all which countries yielded yearly

yearly to his majesty in rents and compositions only 179*l.* 3*s.* 4*d.* besides 90*l.* yearly, which Sir Richard Masterfon, knt. had anciently granted him, and 20*l.* yearly, which Walter Synnot had in lieu of Irish chiefries to them granted by the crown, by several letters patent, upon evidence given at the exchequer bar in a trial betwixt the said Richard Masterfon and one of the sept of the Cavenagh's, in the term of Easter, and in the seventh year of his highness's reign, some overture was made for a title to his majesty to these lands, after which, and before the said title was made known to the lord deputy and commissioners, such as claimed to be freeholders obtained from the commissioners of surrenders, orders, according to the usual form, for their several surrenders, and for effecting thereof, procured out three several commissions to the king's escheators and others, to inquire what lands and tenements they hold either by descent or tanistry, and thereupon to accept their surrenders. Upon two of which commissions, nothing was done, but upon the third commission, directed to his majesty's said escheator, and others the commissioners, on the 27th of January 1609, received the several surrenders of all such as then claimed to be freeholders within those limits, of all their lands, tenements, and hereditaments, comprized and specified in two several books then delivered to the escheator; the which surrenders the escheator confesseth he did shew to the lord deputy and some other the commissioners for surrenders,

sitting upon the commission ; but for that the time by proclamation limitted for the natives to proceed with their surrenders, was then past, the escheator was by the commissioners willed to retain and keep the surrenders, and not to make return thereof, until his majesty's pleasure was further known ; for that the king's learned council affirmed, they had discovered a good title for the king to all those lands, and that the commission warranted not them to accept those surrenders ; according to which direction, the escheator detained still the commission, surrenders, and books not returned ; after which the lord deputy, anno 1610, certified his majesty and some of this privy council in England, of his highness's title, and that the natives offered to surrender, and to take new estates upon the commission of surrenders and defective titles ; and thereupon several directions were given his lordship for the proceeding unto plantation ; as by his majesty's letters, and letters from some of his privy council doth appear. After which his lordship resolved on a project for the division and plantation of those countries, whereof he hath sent to his highness by us a copy, subscribed by his lordship ; since which, on the 27th of July 1611, his lordship sent Sir Laurence Esmond, knt. Sir Edward Fisher, knt. William Parsons, esq; Nicholas Kenny, esq; his majesty's surveyor and escheator, to make known to the inhabitants of those countries, that nothing was intended unto them by that plantation but good ; for al-
beit

beit the whole country was the king's to dispose of, yet he was pleased to accept of their surrenders, and to repass to such as were fit-worthy and fit to be made freeholders, convenient portions in fee simple, at reasonable rents, and to others of the inferior sort, competent portions for lives and years; and that the civilizing of the country was the chief thing aimed at, with some increase of revenue to the king; and that if any man would be obstinate, and oppose against the general good intended, they should have justice, which is the benefit of subjects, but were to look for no favour.

ACCORDING to these directions, the said commissioners treated with the inhabitants and divers of the principal of these pretended freeholders yielded to accept the lord deputy's offers, and by several writings dated in August in the ninth year of his highness's reign, did give up and surrender their lands to his majesty, upon hope to have re-granted to them convenient portions in the new plantation; his lordship thereupon assigned unto 57 of the natives, to be divided into several portions, 35210 acres, to be granted in fee simple, which 57 were, by a jury of that country, presented to be the fittest men in those limits to be made freeholders. The particulars of these proportions, together with the names of those natives are herein after expressed, of which 35210 acres were assigned to the said Sir Richard Masterfon, 10169 whereof for his said chiefries, 2120, the residue, for his land in

the Morrough's country. Of the natives which agreed to the new plantation, 16 of them accepted estates of their proportions from Sir Richard Cooke, Sir Laurence Esmond, Sir Edward Fisher, knights, the first patentees made of that country in trust. Of these 57 natives, 21 are still to retain their ancient houses and habitations, with their grounds adjoining. Some of their lands lying remote from them, being laid to the new undertakers, proportions are to be taken from them, in lieu whereof, some allowances are to be made of lands lying nearer their dwellings, with which they are not contented; for that they are not sufficiently recompensed for the lands taken from them, as they affirm. To the residue, which claim to be freeholders, being for the most part possessed of but small portions, no allowance of land or recompence is assigned or given; but all they, in number 390, or thereabouts, and all the residue of the inhabitants, tenants and cottiers, estimated to be 14500 men, women and children, may be removed at the will of the patentees, which notwithstanding, few are yet removed, and it is offered by the new undertakers, as formerly by the lord deputy it was appointed, that all those to whom no portions by this new division are assigned, and all the under-tenants inhabiting within their proportions, may if they will reside and dwell in those countries as tenants to the English and native undertakers, without removing of any but such as dwell on those grounds, which

which the patentees shall use for their necessary demesnes to their castles and houses ; and that they will be bound to let and set to those natives that want proportions, lands at easy rates and rents, as they held them before, all rents, charges, and exactions being considered which they paid to his majesty, Sir Richard Masterfon, Walter Synnot, and others. The proceedings against the natives have been in this manner ; in June 1611, upon motion of the king's learned council, a writ of seizure was awarded out of the court of chancery, to take into his majesty's hands all the said lands and tenements, which was grounded upon some ancient records remaining in that court, mentioned in the inquiry hereafter specified, which was returned and executed by the sheriff, but no further proceedings thereupon. After which a commission under the great seal of Ireland, was directed to the lord bishop of Ferns, Sir Thomas Colclough, knt. Sir Dudley Loftus, knt. John Beere, esq; his majesty's serjeant at law, William Parsons and Nicholas Kenny, his majesty's surveyor and escheator, to inquire of his majesty's title to those lands. The commissioners on the 26th of November 1611, met at Wexford for the execution of the said commission, where after divers adjournments until the 4th of December, the jury then offered their verdict of *ignoramus* to the king's title, the which the commissioners refused to accept, and bound the jury over to appear before them in the exchequer court the
Thursday

Thursday se'nnight next following ; but the jury, upon their petition to the lord deputy, had their appearance respited until the 18th of January then next ensuing, at which day the jury appeared in the exchequer before the said commissioners, and Sir John Denham, knt. then lord chief baron, Sir Francis Aungier, knt. master of the rolls, baron Hasset and justice Lowther, associated by commission to the former commissioners. After long time spent in the evidence on both parts, eleven of that jury agreed to find his majesty's title, but five others of them refused to join with those eleven in that verdict, who were by the commissioners committed then to prison, and after censured in the castle chamber for refusing to join with their fellows to find his majesty's title, according to their evidence, and the rest of the jury discharged. Then the court of exchequer directed a writ to the sheriff of Wexford, to summon a jury to appear at the exchequer bar in Hillary term next following, for the said inquiry. The sheriffs returned Sir Thomas Colclough, one of the former commissioners, and those eleven of the former jury, that had agreed to find his majesty's title, and some others ; which eleven so formerly sworn with Sir Thomas Colclough and John Murchoe, now a patentee in the new plantation, found an inquisition to this effect, the copy whereof we are ready to shew, namely, That upon the submission of Art-mac-Murrough, and Malloch O Murrough, the chief of their septs, and David Moore

Moore and Manus Mac Gerrald of the Kinsel-
loughs, and divers others of the Irish unto king
Richard the second, by indentures dated the 7th
of January in the 12th year of the reign of the
same king, the said parties did covenant with
Thomas earl of Nottingham, then marshal of
England, and deputy of this kingdom, that they
and every of them, before the first Sunday in
Lent then next following, would relinquish and
surrender to the said king the full possession of
all the lands, tenements, castles, woods, forts,
and pastures, with their appurtenances, which
by them, and all others of the Kinsallogh's, and
every of them, their companions, men or adhe-
rents, late were occupied within the province of
Leinster in Ireland. *Sine aliquo retinement sibi
reservato, sui reservando quocunque modo, sine dolo,
et absque fraude,* their moveable goods only ex-
cepted, and that they before the said day would
leave the said whole country of Leinster to the
true obedience, use, and disposition of the said
king, his heirs and successors; and that the said
earl, on the part of the king, covenanted, that
these chief men and their soldiers, or men of
war, during their lives, shall have pay in the
king's wars, and should enjoy to them and their
heirs, all such lands as they should conquer from
any rebels in that kingdom. The said earl also
agreed, that the king should grant to Art. mac-
Murrough, the chief of the Cavenaghs, a
yearly annuity of eighty marks, and restore to
him his wife's inheritance in the county of Kil-
dare,

dare, which annuity was paid divers years, as appears by some records : they also find, that on the twelfth of February next ensuing a commission was granted unto the said earl marshall, to receive the homage of Mac Murrough, and all the Irish of Leinster, and to take their homages and submissions, which was done ; and to distribute the lands of the chieftains, and men of war, which were to depart, to others of the king's subjects. They further found, that on the twenty-eighth of April then following, king Richard the second granted to Sir John Beaumont, knt. and his heirs, all and singular the castles, manors, lands, tenements and hereditaments, within the metes and bounds following, namely, from the bank of the water of Slane, on the part of the south, unto the black water of Arklow, of the part of the north, and from the main sea on the east, unto the bounds of the counties of Katherlough and Kildare, on the part of the west (excepting the lands of the earl of Ormond, if he had any within those bounds) to be holden by knight service in *capite* ; and that the said Sir John Beaumont, by virtue of these letters patents, was seized of all the lands within these meares (except the earl of Ormond's lands, Roche's lands, Synnott's lands, Wadding's lands, the lands of the bishop of Ferns, advowsons of churches, and some other things in the said inquisition excepted) and that the said Sir John Beaumont died thereof seized, and that after his death the same lands (except before ex-
cepted)

cepted) descended to Henry Beaumont, his son and heir, who 1 Hen. 5. died thereof so seized; and that all the premisses (except before excepted) descended to John Beaumont, his son and heir, being an infant, after whose death an office was found accordingly, and livery used, by which it appeareth, that seven manors, namely, Farringmall, O Felmigh, Shermall, Lymalagoughe, Shelala, Gory and Dipps, were all the lands and dominions within those meares and bounds, which were granted by virtue of that office, seized into the king's hands, and so remained until the said John Beaumont sued his livery the third of September, 13 Hen. 6. and that the said John Beaumont, the seventh of August, 24 Hen. 6. made a warrant of attorney to John Cornwaleys, chief baron of the exchequer, and John Townley, esq; to let and set his lands within these meares and bounds, and all other his lands in Ireland, and that he thereof died seized (except before excepted) and had issue two sons, John the eldest, and William the second, both viscounts, and one daughter named Joan, which two sons died without issue of their bodies; and that the said Joan their sister was heir to William who last died, and was married to John lord viscount Lovell of Titchmarche, and that they had issue Francis viscount Lovell, attainted of treason by act of parliament in England, 1 Hen. 7. and confirmed in Ireland; by which acts, all his lands in England and Ireland were vested into the actual and real possession of the crown, and
so

so descended by mesne descents, to queen Elizabeth (except before excepted) her majesty after granted the manor of Dipps to the earl of Ormond, and the manor of Shelala to Sir Henry Harrington; and that the rest (except before excepted) descended to our sovereign lord the king, as by the copy of the said office and inquisition ready to be shewed, doth appear. On the twelfth of February, in the ninth year of his majesty's reign, upon motion of his majesty's council, before any patent granted of these lands, it was ordered by the court of chancery, that such as should be patentees from the king, should be put into possession by injunction out of that court, without further motion, of all those lands within these meares and bounds, when the same shall be granted, and the sheriff to continue them in possession from time to time, in which order the king's title and the seizure is expressed; after which, the said inquisition so found at the exchequer bar, was transmitted into the chancery, and then several patents granted of several portions as followeth; namely, to Sir Richard Cooke, knt. his majesty's secretary, 1500 acres: to Sir Laurence Esmond, knt. servitor, and a native of Wexford, 1500 acres; to Sir Edward Fisher, knt. a servitor, 1500 acres; to Francis Blundell, esq; 1000 acres; to Conway Brady, the queen's footman, 600 acres; to Nicholas Kenny, escheator, 500 acres; to William Parsons, surveyor, 1000 acres; to Sir Roger Jones, knight, 1000 acres; to Sir James

James Carroll, knt. the king's remembrancer in the exchequer, 1000 acres; to John Wingfield, esq; a servitor, 1000 acres; to Sir Adam Loftus, knt. 1000 acres; to Sir Robert Jacob, knt. his majesty's solicitor, 1000 acres; to Fergus Greemes 300 acres; to Sir Rich. Wingfield, knt. marshal of the army, 1000 acres; to William Marwood, deputy remembrancer, 1000 acres; to John Loghorn, esq; 1000 acres; to Francis Blondell, esq; 1000 acres; to capt. Trevillian and capt. Fortescue, 2000 acres; to Thomas Hibbotts, esq; 1000 acres; in all 19900 acres.

PROPORTIONS

PROPORTIONS of the antient possessors, how many acres they formerly enjoyed, and how many are assigned to them in the plot of the new plantation; and which of them had formerly patents from the crown.

A N T I E N T.

Acres.

NEWLY ASSIGNED.

Whereof, native lands 3800, { Assigned him
crown lands 2800, { for his chief-
by colation } 460, { ries 2409
of patent } acres.

Sir Richard Maisterfon	7060	300	240 of his former possessions.
Michael Synnot			
Dowlin Mac Bryen, patent			
Morgan Mac Bryen, patent			
Edward Mac Dowlin, patent			
Dowlin Mac Morrough			
Griffin, <i>alias</i> Green Mac Donnel, patent			
Walter Plunket			
		2800	2400 removed.
		350	200 of his former possessions.
		350	300 of his former possessions.

Donnel

A N C I E N T.

Acres.

NEWLY ASSIGNED.

Donnel Spaniagh, patent

300 of his former possessions,
besides 320 by former patents.

Patrick Peppard

1252 whereof his former possessions,
about 700 acres, a place taken
from him, wherein he had laid
provision to build.

Dermod Cune
Captain Dennis Valle

100 to hold his former possessions.
900 whereof formerly 400.

Walter Synnot

1967 whereof formerly 1567,
and for his rents newly
added 2120.

James Synnot
John Synnot Fitz Richard
John Fitz Pierce
Jasper Synnot
Robert Codd
John Malone

865 whereof formerly 567.
605 whereof formerly 545.
410 whereof formerly 360.
730 whereof formerly 390.
840 of his former possessions.
486 of his former possessions.

Henry

A N C I E N T.

Acres.

NEWLY ASSIGNED.

Henry Fitz Pierce
 William Fitz Walter Synnot
 Donnol Vally
 Teig Mac Art
 Patrick Walsh
 Teig O Bulger
 Ferdoragh Mac Dermot
 George O Murchoe
 Donnel O Doran
 Phelix Mc Dermot (patent)
 Morrough Macpharson
 Gerrard Mac James
 Phelim Mac da Moore
 Redmond Mac da Moore
 Tirlagh Mac Moriartagh
 Donnogh Mac Moriartagh
 Donnell Mac Moriartagh

340 240 of his former possessions.
 120 240 whereof 120 of his former possef.
 525 370 whereof former 229.
 330 220 whereof formerly 133.
 126 126 removed.
 120 120 his former possessions.
 382 240 removed.
 200 160 of his former possessions.
 480 300 of his former possessions.
 565 1206 removed.
 250 204 removed.
 160 120 removed.
 240 200 removed.
 240 200 removed.
 400 300 removed.

Owney

NEWLY ASSIGNED.

Acres.

Owny Mac Hugh, Ballagh Mac Dermot	300	300 removed.
John Esmond	100	100 removed.
Callogh Macbragh	120	100 removed.
Francis Waffer	200	187 removed.
Donnel Mac Donnogh Enteskin	196	208 whereof formerly 80.
Owen Mac Gerrald	200	127 removed.
Anthony Brisket	120	120 removed.
Edmond Duff Mac Dermot	206	120 removed.
Owen Mac Hugh, Ballagh Mac Donoug Oge	450	300 removed.
Donnogh Oge	120	60 removed.
John Brazil	120	166 removed.
Mr. Browne	840	840 removed.
Nicholas Netterville	500	500 former possessions,
Thomas Mac Keogh	200	200

ANTIENT.

B b 2

Richard

NEWLY ASSIGNED.

Acres.

Richard Cromwell, patentee	300	300 former possessions.
Henry Walfh	220	130 of his former possessions.
Sir Henry Wallop	1040	1100 whereof formerly 1040.
Patrick Esmond	400	500
John Murchoe	—	700
Art Mac Dermot	1200	1000 removed, but this 1000 not yet set out.

Edmond Mac Art and Richard Mac Art, patentees, have no allowance in this new plantation for the lands taken from them.

A N C I E N T.

Richard Cromwell, patentee
Henry Walfh
Sir Henry Wallop
Patrick Esmond
John Murchoe
Art Mac Dermot

THERE

THERE are within the limits aforesaid, more than the said proportions, about 12000 acres, not yet granted, intended to be passed to martial men, who are to build upon the borders and fastnesses, but cannot, until some of the patentees be removed unto the lands assigned them. The names of these martial men are, captain Dorrington, captain Meares, captain Pikeman, captain Cawell, captain Ackland, captain Henry Fisher, lieutenant John Fisher, lieutenant Burroughs, Mr. Gillet, Mr. Waldron, lieutenant Stratford, Mr. Sherlock, Mr. Hashwell.

AFTER the before mentioned patents granted, the said patentees this seventh of May last, obtained several injunctions to the sheriff of Wexford, to put and continue them in their several portions of lands specified in their patents, which the sheriff accordingly performed, and did break open the doors of such as resisted, and turned them out ; yet notwithstanding, upon submission, divers of them were permitted to return to their houses again, and in harvest last the said sheriff, by warrant from the lord deputy, was assisted by the bailiffs of the new patentees, to take up the fourth sheaf of their corn for the Michaelmas rent, in regard they were then to pay the King's rent ; which fourth sheaf the patentees still detain, the natives being allowed to take the rest to their own use. Many such of the natives as formerly agreed to this new plantation, now absolutely dislike thereof, and of their proportions assigned them in lieu of their other possessions taken from them, for that, as they af-

firm, their proportions assigned are not so many acres as they are rated to them, and because the acres taken from them are far more in number than they be surveyed at, which difference cannot be decided without a new survey, which some of the natives desire. All the ancient possessors of the English race, and divers of the Irish, have been always faithful to the crown of England: but most of the Irish were bebelers in the time of the great rebellion of Tyrone. Several of those to whom proportions are assigned, are of the septs of the Cavenaghs and Murroughs, which held land in these limits before; Walter Synnot, Patrick Peppard, and Art Mac Dermot, offer for themselves and the rest of the countries, that they will pay such rents, and perform the buildings and covenants to the king's majesty, that these new undertakers are to perform; but they do altogether refuse to repay to the undertakers their charges disbursed about this plantation, which are rated at 3000*l*. Every undertaker of 1500 acres is to build a castle or stone house of 30 feet in length, 24 in breadth, and 30 feet high, besides the battlements. Every undertaker of 1000 acres is to build a castle or stone house of 24 feet square, and 30 feet high, besides the battlements; and every undertaker of 500 acres is to build a strong bawne of lime and stone, these buildings to be made within four years after the patentees have quiet possession. The yearly rent reserved to the king, is five pounds for every thousand acres granted the English, and six pounds six shillings and eight-

eight-pence for every thousand acres granted to the natives, except for those lands assigned to Sir Richard Masterfon and Walter Synnot, in lieu of their rents and chiefries out of the whole.

THE rents yearly reserved and to be reserved to his majesty, if the plantation proceed, will be 426*l.* 18*s.* 10*d.* $\frac{1}{4}$, and the country is discharged of the rents and chiefries granted to Sir Richard Masterfon and Synnot, which are 210*l.* *per annum.*

Signed and sealed by

Arthur Chichester.	Humphrey Winche.
Charles Cornwaleys.	Roger Wilberham.
George Calvert.	

At Dublin, anno 1613.

A NOTE of the Lords and Recusants in the Houses of parliament, that were the principal disturbers of the same.

L O R D S.

Viscount Gormanstown.

Forwardest in delivering petitions, contesting, when he should attend the deputy to church, his misbehaviour to the deputy at the time of the powder treason, his contention with the lord Barrye, in presence of the lord deputy.

Viscount Roach.

Forward in delivering petitions, present at all consultations.

Lord of Delvin.

Assisting at all consultations, designing, turbulent, and unmindful of all his majesty's great favours towards him.

Lord of Trimlestown.

Busy and violent.

Lord of Slane.

Busy and violent.

K N I G H T S.

Sir Walter Butler.

Chief in putting Sir John Everard into the speaker's chair, and in preferring the first slanderous petition against the house; his behaviour in Kilkenny, when that town was in rebellion against the king.

Sir Daniel Bryan. Sir William Bourke.

The holding Sir John Everard in the speaker's chair, and resisting those that were putting the speaker into the chair.

Sir Gerald Nugent.

Busy, and one of the preferers of the first slanderous petitions against the house.

Sir John Everard.

Unlawfully usurping the speaker's chair, contending when he was advised and prayed to come out of it, holding himself as speaker of the house.

Sir

Sir Christopher Plunket.

A chief ringleader and countenancer of the first disobedience ; namely, Sir John Everard to the lord deputy to be speaker.

Sir Christopher Nugent.

Another ringleader, and countenancer of the first disobedience ; a procurer of others to disturb the parliament by false informations.

Sir Thomas Bourke.

Busy in maintaining Sir John Everard in the speaker's chair, and resisting those that were placing the rightful speaker in it.

Sir James Gough.

Busy and forward in disturbing the parliament by speech and writings.

John More.

Close and ill disposed.

Mr. Talbot.

Their chief oracle for law ; in the head of the petition he termed the house no house, and the speaker no speaker.

Richard Wadding.

A known malicious papist, undutiful speaker to Sir Nicholas Walshe, busy in the parliament, a man excommunicated, and therefore deprived of his mayoralty for refusing the oath of supremacy.

Boetius Clancy.

Busy and forward in delivering two petitions.

Thomas Luttrell.

Turbulent and seditious in the house, preferring a petition to the lord deputy in an undutiful

ful manner ; uttering disloyal words, as it were in the power of him and his revolted company, to judge of what members the king was served, to the house, and what not ; his undutiful behaviour, and seditious comparison with my lord Thomond, in the presence of my lord deputy.

The examination of Shane Mc Phelomy O Donnelly, taken before me Sir Toby Caulfelde, knt. October 22, 1613.

SHane Mc Phelomy O Donnelly saith, That about the end of May last past, upon the Sunday, he was at mass at the Glynn in Bryan Mc Gwyres country, between the county of Fermanagh and Tyrone, where Tirlaugh Mc Crodden, a fryer there, lately come from beyond seas, said the mass, and was preaching most part of the same day ; and in his sermon he declared, that he was sent from the pope, to persuade them that they should never alter their religion, but take the pope to be their true head, and rather to go into rebellion than to change their religion ; and that the English service proceeded from the seducement of the devil, and did earnestly exhort them, upon pain of damnation, to stand on their keeping, rather than alter their religion. At which mass there were assembled (as he thinketh) 1000 people all of Fermanagh except himself and one Shane Roe O Quinn, son to Cale O Quinn, who accompanied Neale Mc Tirlaugh, Nuis O Neale of the Largye ;

Largye ; which Neale Mc Tirlaugh, upon these speeches uttered by the fryer spake aloud, saying, God be thanked, we heard this mass, and God be blessed, such a one as you came amongst us, to give us this council ; for our parts, we will rather go into rebellion, and be eaten with dogs and cats, rather than go to the English service, to hear the devil's words. And the said Shane Roe O Quinn said the very same words after him. And the fryer had at that day given him at the least 200 cows and garrons. This examinant, and one Dowaltagh O Donnelly and Neal O Flanigan, were present, and will justify as much as is here set down. He further saith, that the fryer told them, that the parliament was coming, and that it was a thing invented on purpose to cozen them, and to bring them from their religion, and earnestly exhorted them not to be led thereby, but stand fast and join together, and that God was on their side ; and that there was certain money imposed for the expences of men gone into England for the cause of religion, and the charges of the knights of the shires, 4*d.* on every couple. He exhorted them to pay it willingly and speedily ; it was God's business they went about. He told them, that the cattle which they had given him, was for the maintenance of fryers beyond seas, and that the pope would be highly pleased with the gifts they bestowed to so godly purposes. And further saith, that he vehemently exhorted them not to be afraid of any thing, for Tyrone was coming,

coming, therefore willed them to be merry, and of good courage : and for the English, they were to have no rule nor power over them, but for two years. And further said, that he found by his reading in books at Rome, a prophecy, that the English should surcease their rule in Ireland, when a bridge was built over the river at Liffer; and that the king of Spain had 18000 men in arms ready to come over, whereof Tyrone should be the chief; and that they should come within a year and a quarter, and land at four ports in Ireland, the names whereof this examinant hath forgot, and would overthrow the English, and have Ireland to himself. This deponent saith, that the money, 4*d.* a couple, is gathered by the sheriff's bailiffs in the county of Fermanagh. All these speeches were uttered by the said fryer Tirlaugh Mc Croddyn openly in his sermon, and that Connor Roe Mc Gwyre and Bryan Mc Coghonett Mc Gwyre, were present from the first to the last.

TOBY CAULFIELD.

11 October, anno 1613, he preached the like again.

As

As the following instrument is not to be found in English, in any of the writers of those times, I have thought proper to transcribe it, as it is to be found in fol. 245 of Philip O'Sullivan's catholick history in Latin, printed at Lisbon.

Ibernorum obtestatio non deferendi catholicam fidem.

Obtestatio,

DUBIUM nemini videtur esse, qui gentis Ibernæ mores, & educationem vel mediocriter cognoscat, quin hæc gens fuerit semper, & animo constante, firmoque venerata, & exterioribus documentis quam apertissimis professa solam illam religionem, quam pulsas quondam gentilitatis tenebris, in primævo christiane lucis exordio recepit. Ita quamvis varietate temporum, fortunæque vicissitudine tempestuosi, infestique fluctus, & invasiones exterarum gentium, ut Danorum, Normandiorum, Norvegiarum, & aliorum hanc insulam devastaverint, remque publicam nostram labefactaverint; non tamen hujus sacræ religionis nostri coelestem splendorem extinguere, divinumque imbrem exsiccare valuerunt; est quippe (quod nos firmiter credimus) hæc religio patris eterni imperio, spiritusque sancti consilio constituta, nostrisque pectoribus insita summa Christi servatoris providentia. Quamobrem nec persuasionibus ullis,
nec

nec vi unquam potuimus deduci, ut ab illa, vel latum unguem discederemus. Ut vero vetustissimam hanc majorum nostrorum consuetudinem prætereamus, ad remque propius accedamus, etiam cum ob Henrici octavi regis divortium (quod nulla, vel temporis diuturnitate, vel hominum oblivione potest obliterari) ingens opinionum dissensio circa graves fidei quæstiones fuit orta, nihilominus tunc in tanta novorum dogmatum perturbatione, quanta sententiarum repugnantia novitas caput ceperit tollere, monumentis parlamenti tunc temporis habiti in hac urbe memoratur. Quod, quamvis non nihil auxilii, patrociniique nobis afferat ad tuendam nostra presentis asseverationis, equitatem, eo quoque supersedebimus, quod minus ad rem pertinere videatur.

Non tamen hoc loci involuemus silencio nonnullas machinationes summa diligentia tentatas, nec minore industria diu continuatas, quæ nos diversuræ a pristina mente credebantur. Imprimis vel aspectus constitutionis ab ultima Regina latæ sufficiens videbatur, ut plerisque nostrum, inquisitionis, mulctæ, carceris horrore perterreret, atque consterneret. At nullo modo potuit animos nostros, quemadmodum sperabatur, a pristino sensu subducere. Ac itaque secundo principatus ejusdem Reginae anno edicta prodierunt ad incutiendum recusantibus metum, executioni minime mandata in oblivionem abiverunt. Denique ubi dulcedine pacatæ clementiæ, & humanitatis præsentis nostri Regis frui sperabamus,

mus, cum illum omnibus Christianis principibus conciliatum videamus, utque lætemur; cum nostra tamen religione non foedus ici, sed bellum geri a protestantibus ecclesiasticis dolemus. Hic enim, & alii non infini præfecti, justitiæque ministri statuta jamdudum oblivione sopita excitantes, subditos novis imperatis, mulctis, coercionibus, magnisque gravaminibus incredibiliter vexant, & redigunt, ad ingentem paupertatem, quibus tamen omnibus nequaquam a nostra religione disjungimur. Quo circa novi afflictionum cumuli contra nos, liberos nostros, vitam, libertatem, existimationem, atque fortunas accrescunt, filiis nostris studiis, & eruditione externorum gymnassiorum interdicitur, nationis nostræ nobilitas, & claritudo existimatione foedata omnibus hujus reipublicæ honoribus abdicatur, quod usque adeo verum obtinet, ut ne iudicibus quidem pacis nobis liceat esse non aliam ob causam, quam propter fidem nostram, quam nos quidem deserere non possumus. Civitatum & oppidorum prefecturæ civibus adimuntur, quod novis dogmatibus assentiri nolunt. Causidici jurisque periti munere dejiciuntur, quod iis renuunt assidere. Etiam opifices, & fabri sunt experti crudelem vindictam, excommunicationem, pœnam, & alia sexcenta mala. Cæterum hæc omnia minime nos deterruerunt a fide nostra, quam (Deo duce) semper a nobis colendam esse devovemus, prestaturi tamen omne obsequium nostro supremo regi Jacobo debitum sine adulatione, fuko, insidiis, & conspiratione contra ejus coronam, & sceptrum.

ITAQUE

ITAQUE omnibus his pœnarum, inopiæ, opprobrii, carceris, interitus cruciatibus nequaquam in rebus conscientiæ, inconstantiores, aut infirmiores sumus. Verum opes, facultatesque nostræ nimium diminutæ sunt. Propter conjugatos istos, atque proletarios clericos, prefectos, & ministros ingens in republica est orta perturbatio : varia incommoda in rerum commercio sequuntur : humanæ vitæ societati magna molestia infertur : nosmet ipsi præda abjectis, atque sordidis hominibus, qui succum, & dulcedinem nostrorum laborum hauserunt, sumus facti.

QUÆ omnia obedienter proponimus excellentissimo proregi, consilioque reputanda : ab eodemque petimus, ut de illis faciat Regem certiorum nomine nostro, qui referimus hujus regni personam, corpus, atque rempublicam : quamque difficile sit, seu potius quam fieri nequeat, ut nos ab opinione nostra vetustissima dimoveamur : quam fixum, atque deliberatum nobis sit, retinere, & colere priscam nostram fidem, & religionem, quam verisimile sit impofterum fore inutile tam crudeliter nobiscum agere. Neque enim tantus rigor alio tendit, nisi, ut veteres incolæ extinguantur, perdantur, deleantur ; eorum facultates consumantur, frangantur immunitates, odium provocetur, pariaturseditio, & regno denique excidium, & interitus afferatur.

Qui quidem effectus, seu potius defectus justis legibus adversanter namque, si is verus, & proprius præclara administrationis fructus habetur (sicuti revera debet haberi) ut respublica, populusque

Iusque in pace, quiete, tranquillitate, & prosperitate sustineatur juxta salubrium legum rectitudinem, equa semper habita ratione servandæ sub-
jectorum salutis, a qua principis etiam salus, & gloria pendet, ut in hunc finem regia providentia roget, & abroget leges rationi maxime consentaneum videtur, ita ut populus non constitua-
tur propter leges conservandas, sed leges con-
dantur propter salutem populi defendendam jux-
ta ingeniosam illam regiae magestatis epigraphen
inscriptam in illo optimo numismate nuper ex-
cuso, postquam duo regna inter se conciliata gau-
dent Magnæ Britanniae nomine. Salus populi
suprema lex esto. Quo significatur pacis conser-
vationem, & populi salutem bonarum legum
esse principium, & finem. Ac nos quidem con-
gregati sumus in hoc parlamentum diversæ gen-
tes. Alii sumus Iberni ortu simul, & genere ;
alii ortu tantum, non genere ; alii contra genere,
non ortu ; alii denique neutro, nec genere, nec
ortu, sed habitatione. Quæ differentiae generis
ortus, habitationis, morum ingenii ita saltem
conveniunt, & consentiunt omnes, ut uni supre-
mo principi obediant, seque submittant. Neque
enim diffidendum est, posse indubitata ob-
servantiam, & obedientiam consistere cum di-
versitate religionum, quantum ad nostram ve-
tustissimam attinet. Quemadmodum enim na-
turale corpus compositum multis heterogeneis,
& dissimilibus, partibus, carne, ossibus cartiba-
gine, musculis, nervisque, una duntaxat perfi-
citur, movetur & gubernatur forma naturali,
VOL. I. C c animante

animante scilicet spiritu partibus omnibus imperante: ita similiter politicum hujus reipublicæ corpus constans diversis nationibus in religionis idæa, & forma tempestate hac discrepantibus potest regi una civilis obedientiæ minime fictæ forma sub uno regii diadematis sceptro decoratum, & auctum. Et quoad professionem nostram longe consultius esse videtur ferre hanc religionum varietatem sine inobedientiæ periculo, donec idoneum tempus fuerit oblatum, quo perturbatio sedetur, & repugnant earum sectarum assertores ad aliam mentem restituantur, quam constantiam nostram satis probatam durissime verberare. Que quo magis oppugnata fuerit, eo illustrior, & firmior erga Deum, & principem apparebit. Que cum ita sint, seu rerum administrandarum rationem spectes, seu regię providentiæ regulas contempleris, sanum (ni nos quidem fallimur) consilium est, ut cum subjectis, qui tendice tot temporalium afflictionum cumulis obruti non potuerunt ad indebitam istam concordiam flecti, deinceps suavius, & moderatius agatur: nec iidem diutius opprimantur edictis quotidianorum gravaminum odiosissimis. Qua tamen mitigatione minime obstante, satis vexabuntur subsidio, & obsequio regię magestatis benignitati in omni occasione satisfacere conantes, tum debitum reddendo, tum grati animi significationem præbendo. Hunc animi nostri sensum, hocque consilium pandere subacti sumus hujus inclytæ curiæ privilegio, libertate, qua in ea de rebus sentire debemus, ingenteque spe rursus amice habendi
parlamentum

parlamentum cum cæteris nostris collegio, & senatoribus.

A true declaration of the protestants of what passed the day before the beginning of the parliament, the first day of the parliament, and the Friday following, in the lower house of parliament in Dublin, 1614.

UPON the seventeenth of May, being the day before the return of the writs of summons for this present parliament and the last day of Easter term, the lord deputy being informed that divers persons were like to intrude themselves into the house of commons which were not returned either as knights, or burgeses of the parliament; to prevent all such disorders, and the inconvenience that might ensue thereupon, did first in the forenoon of the same day, cause proclamation to be made in all the king's courts at Dublin, that all such as know themselves to be returned for knights, citizens, or burgeses of this parliament, should about three of the clock in the afternoon of the same day, attend his lordship and the council in the castle of Dublin, at which time the greatest part of those which were returned, gave their attendance accordingly, and hereupon the lord deputy and council taking their seats in the open court of the castle of Dublin, caused the clerk of the crown of the chancery, into whose office

C c 2

all

all the writs of summons were returned to bring a book of the names of all such as were returned as knights, citizens, or burgesſes for this parliament, and hereupon to call by name all such as were returned, which being done accordingly, his lordſhip took a view and ſpecial notice of every particular perſon then appearing, and immediately cauſed ſolemn proclamation to be made, that none ſhould preſume to come into the houſe of the commons but ſuch as were returned as aforeſaid. The next day being the eighteenth of May, and the firſt day of the parliament, the knights, citizens, and burgesſes being all together aſſembled in a wide room, between the upper houſe and the lower houſe of parliament, and the lord deputy with the lords ſpiritual and temporal being ſet in the upper houſe, before his lordſhip would admit the commons to enter into the upper houſe to hear the lord chancellor's ſpeech, cauſed them all to be called again by the clerk of the crown's book, and thereupon as many as did appear were admitted to come into the upper houſe, where the lord chancellor's ſpeech, touching the calling of this parliament, being ended, the lord deputy himſelf alſo ſpoke unto them, and willed them, that they ſhould repair into the commons houſe and there make choice of their ſpeaker, whom his lordſhip would have to be preſented unto him upon the Friday then next following; and withal his lordſhip did intimate unto them, that his majeſty had by his letters required him to re-
com-

commend to their election a gentleman sufficient, in his majesty's opinion, to discharge that place, and whom his lordship himself would have recommended to that place if his majesty had left the nomination to him; howbeit his lordship did not then name the gentleman, but said that some of the privy council were members of that house, knew his majesty's pleasure in that behalf, and left it to them to name him when they should be assembled to elect a speaker. According to that direction, they immediately departed into the house of the commons of purpose to make choice of the speaker, where having all taken their places and sitting quietly some convenient space of time, Sir Thomas Ridgway, knight and baronet, his majesty's vice-treasurer and treasurer at wars, and one of his highness's privy council of this realm, rose up, and after some expression of his joy to behold so great an assembly of so many worthy knights and gentlemen in a parliament in this kingdom, declared that the first thing they were to do was to choose a speaker, and having expressed at large with what gifts and abilities the person fit for that place should be qualified, named Sir John Davis, knight, his majesty's attorney general for this kingdom, being one of his highness's serjeants at law in the kingdom of England, to be the fittest person, in his excellency's opinion, to supply that place, and signified withal, that he was the man whom the lord deputy had intimated unto them to have him recom-

mended to their election by his majesty, who was to approve or disapprove the person elected; which speech being ended, the greatest part of the house with a general acclamation gave their voices for Sir John Davis; hereupon Sir James Gough, knight, stepped out of his place disorderly into the middle of the house, and offered to make a speech there, but being willed by the house to go back into his place and there deliver what he had to say, he made a speech nothing pertinent to the matter then in question, which was the election of a speaker, but alledged that such persons as were returned for the boroughs newly erected, and such others as were not resident and dwelling in the boroughs for which they were returned, were not members of the house, and therefore thought it fit that that matter should first be examined and decided before the house proceeded to the election of a speaker, but concluded nothing to the point in question, until being demanded for whom he gave his voice, he named Sir John Everard, who was sometimes one of the justices of the king's bench, but being an obstinate recusant, was by his majesty's special direction deposed and put from the place. This speech was seconded first by Sir Christopher Nugent, and then by one William Talbot (who was sometimes recorder of Dublin, but displaced for refusing to take the oath of his majesty's supremacy) who both spoke to one effect, and moved the house, that before they proceeded to an election of a speaker they would purge
the

the house of such members as were not lawfully called thither; then Sir Oliver St. John, master of the ordnance, and one of his majesty's privy council here, rose up, and told the house, that he had been a member of the house of commons in sundry parliaments in England, and that by his experience he knew them to be chosen, and that afterwards the house should nominate a select number of committees to examine all questions arising upon the returns of sheriffs, and therefore he said, that though that motion of the gentleman who spoke last was just and reasonable if it had been made in due time, yet that the house must first make choice of their speaker before they could nominate the committees; but that after the speaker should be chosen and committees appointed, all questions that could be made upon the returns of sheriffs, should be examined and decided to their full contentment and satisfaction. And then approving what was first spoken in commendation of Sir John Davis, touching his fitness to supply the place of a speaker, and adding somewhat thereunto, gave his voice for him, whereupon there was a confused acclamation in the house, some naming Sir John Davis and others Sir John Everard, yet by those few that named Sir John Everard there was nothing said in commendation of him, and to the intent there might not be any more time spent in unnecessary and impertinent motions, Sir Oliver St. John also added these words, "Gentlemen, the use of parliament is to decide

“ controversies by questions, and questions by
“ numbering of voices, and for tryal thereof,
“ I know by experience, that they who are of
“ the affirmative part, are to go out of the house
“ to be numbered, and to leave those that are
“ of the negative part to be numbered within
“ the house,” and therefore to bring this controversy to the true point of tryal, he said, “ all
“ you that would have Sir John Davis to be
“ speaker, come with me out of the house,” and immediately thereupon Sir Oliver St. John, and all the rest that gave their voices for Sir John Davis (which were the greater number) and all protestants, went into the next room appointed for the division of the house, to the end that those that remained within and those that went out might be severally numbered. The division of the house being thus made, Mr Treasurer and Mr. Marshal, being two of the number that went out of the house, did move Sir Christopher Plunket and Sir Christopher Nugent, being within the house, to join with them in numbering, both which they utterly refused to do, knowing the number that gave their voices for Sir John Davis to be the greater; then did Mr. Treasurer and Mr. Marshall make offer to number them that were in the house, which they perceiving, rose up out of their places, and gathered themselves together in a lump, to the end they might not be numbered; then Mr. Treasurer and Mr. Marshal passing again out of the door, to the end they might number those
without,

without, the door was suddenly shut after them, and instantly those that were within, not pursuing the first proposal of purging the house, before they made a speaker, cried, "An Everard, an Everard," and intruded Sir John Everard into the speaker's chair; this unexpected noise caused Mr. Treasurer and Mr. Marshall to open the door, and perceiving what was done, they resolved to number those that were without, and for that end standing the one on the one side of the door, and the other on the other side, willed those that were without, to pass into the house again, and so numbered them by the poll, as they came in, with a loud voice; and the number of them which were without, and gave their voices for Sir John Davis, was one hundred twenty and seven, whereby it was manifest that Sir John Davis had the greater number of voices; for that the entire number of the house, if all had appeared, is but two hundred and thirty two, and of those there were six that did not appear, whereof two were recusants, and four protestants.

THEREFORE, because it was so apparent, as no man could contradict it, that Sir John Davis was chosen speaker by the greater number of them that were returned knights and burgessees into that house, Mr. Treasurer spoke in reproof of that great contempt, and disorder committed by intruding Sir John Everard into the speaker's chair, being not elected by the greater number of voices; and thereupon first declaring that the
voices

voices given to Sir John Davis were 127, which were by much the greater number of the house, with fair and gentle terms required Sir John Davis speaker, duly chosen, might be placed therein; nevertheless, Sir John Everard sat still, and refused to come forth. Then Sir Oliver St. John spoke to the same effect, and added withal, that if he would not come out, they which had elected Sir John Davis should be enforced to pluck him out, notwithstanding he sat still; whereupon Mr. Treasurer and Mr. Marshall, gentlemen of the best quality, took Sir John Davis by the arms, and lifted him from the ground, and placed him in the chair upon Sir John Everard's lap, requiring him still to come forth of the chair, which he obstinately refusing, Mr. Treasurer, the master of the ordnance, and others, whose places were next the chair, laid their hands gently upon him, and removed him out of the chair, and placed Sir John Davis quietly therein; thereupon Sir John Everard, and all the rest who gave their voices for him (being in number fourscore and eighteen, and no more, all recusants) in contentious manner departed out of the house, in the void room appointed for the division, where they remained, because the outer door of the house was shut, which was by direction of the house when they first sat. Then Sir John Blenerhasset, and Mr. Beere the king's serjeant, were sent by the house to require Sir John Everard and the rest to return into the house, who having delivered their
message,

message, brought back an answer, that Sir John Everard, and the rest that were with him, would not join with those that elected Sir John Davis to be speaker, but appeal to the lord deputy.

THEN Mr. Treasurer and Henry Poor addressed themselves from the house, to know the cause why Sir John Everard, and the rest that were without, would not return and join with the greater number that were within, and they having likewise delivered their message, made report to the house, that William Talbot the lawyer made answer for himself and all the rest, in these words : “ Those within the house are no house, and the speaker no speaker of the house ; but we are the house, and Sir John Everard is our speaker ; and therefore we will not join with you, but we will complain to my lord deputy and the king ; and the king shall hear of this.” And after some pause and silence in the house, the speaker sitting in the chair, began a speech to the house, declaring, as the manner in his disability and unwillingness to accept the place, &c. in the midst of which speech, Sir William Bourke and Sir Christopher Nugent came into the house, without any reverence, and interrupted the speaker, calling for the keys of the outer door ; and being commanded by the speaker to take their places, they contemptuously refused so to do ; and in the like irreverent manner went out of the house again ; and then the other door being opened, Sir John Everard, and all that party, departed out of the castle, affirming, they would not return to the house any more.

AND

AND this, in effect, is all that passed in the commons house the first day, being the 18th of May.

UPON the Friday following, which was the day appointed by the lord deputy, for presenting the speaker, the speaker and the rest being that day in number 130, whereof fourteen are of the privy council of this realm, came and sat in the house of the commons, about nine of the clock in the forenoon, expecting to be called into the upper house, there to present their speaker.

AND shortly after they were sat, the lord deputy sent a message to the house, requiring that Mr. Marshall and the master of the ordnance might be sent unto his lordship from the house, who being sent accordingly, and presenting themselves before his lordship, and all the lords being then in their parliament robes, and ready to go to the upper house, his lordship told them that William Talbot the lawyer, and others of that party, who were departed from the greater number of the house, had been with his lordship; and that his lordship had required him to let the rest of that party know, that it was his lordship's express pleasure, that they should all forthwith repair to the house of the commons, to join with the rest in presenting the speaker; and that Talbot had desired respite of one hour to bring his lordship an answer; nevertheless, his lordship having better advised of the shortness of the time, had resolved to enlarge that
time

time until three of the clock in the afternoon; and in the mean time, his lordship thought it fit, that the house of the commons should send their serjeant at arms, to summon all those that had separated themselves from the greater number of the house, to come to the house at the hour of three of the clock, and to join all together in presenting the speaker.

Mr. MARSHALL and the master of the ordinance, returning with this message from his lordship, the house sent him back again with this answer, that they and their speaker would attend his lordship at the hour appointed, but they humbly desired to be excused for sending their serjeant at arms unto them, because they had addressed themselves unto his lordship: and hereupon the house rose, and returned again at three of the clock in the afternoon, at which time, neither Sir John Everard, nor any other of that party did appear; and so the rest being the protestants and the greater party, presented Sir John Davis their speaker, unto the lord deputy, sitting in the upper house with the lords.

WHEREUPON his lordship did first demand of all the commons who presented Sir John Davis, whether they were the greater number of the house, and whether they were all agreed that Sir John Davis should be their speaker, who answered, with one voice, that they were the greater number, and that they had all agreed that Sir John Davis should be their speaker. Whereupon, after the speaker had made a modest speech,

speech, in disabling of himself (as the manner is) his lordship gave his consent and approbation of that election; and then the speaker made a larger speech touching parliaments and common councils, and especially touching the former parliaments holden in this kingdom; and then, by way of comparison, did shew how much this parliament did exceed all the former parliaments, as well in respect of the felicity of the time wherein it is called, as of the number and worthiness of the persons that are called unto it. And this is the effect of that which was done the second day of sitting, being Friday the 21st of this present month of May.

Barnaby Brian. Tho. Ridgway. Richard Wingfield. Oliver St. John. Ol. Lambert. Hen. Power. Fran. Rushe. Fran. Barkley. Ro. Digby. Toby Caulfield. Ad. Loftus. Garrett Moore. John King. John Bingham. Christopher Sibthorp. Blener Haffett. Thomas Beare. Robt. Jacob. Da. Becke. Henry Foliett. William Usher. Richard Boyle. Tho. Rotheram. Edw. Blayney. Rog. Jones. John Bourcher. Arth. Bassett. Fran. Annesley. Edw. Moore. Faithful Fortescue. John Vaughan. Hen. Pierce. Edw. Skory. Geo. Sexton. Geo. Carey. Maurice Griffith. Hugh Culme. Tho. Bellott. John Hamelton. Richard St. John. William Crofton.

A brief

A brief relation of the passages in the parliament summoned in Ireland anno 1613.

IRELAND standing in the state it doth, it is worthy the consideration to examine, upon probabilities, what is like to ensue, and to provide timely remedies against future events; for the face of this parliament now prorogued, threatens ensuing mischiefs.

THE occasion of the distemper which now appears to be in the natives of that realm, is not as a mushroom of a night's growth, but rooted in their hearts for many years past.

IN the latter end of queen Elizabeth's reign they were no less obstinate in the Romish religion than at this present, as did appear in all the past rebellions, but how many years promising a hope of change (as they conceived) advised a wiser sort to patience, and to cover their ill affections, until no hopes were left.

SINCE his majesty's happy reign over us, they have unmasked themselves, and by an unanime consent in one, to leave no means unsought to work their ends, taking unusual and undutiful courses to effect the same.

UPON the first report of queen Elizabeth's death, the citizens of Waterford, Cork and Limerick, &c. took arms, banished the ministers out of their towns, and in their rooms massing priests were placed, divers of his majesty's good servants

servants and subjects imprisoned, officers of the army and of justice contemptuously used, the magazines of ammunitions and victuals seized upon, and converted to their own use, forts razed, fundry of his majesty's soldiers slain ; and to be brief, nothing was left undone, what in their malice and weakness they were able to effect. But this storm (as soon as the lord deputy presented himself with an army before their walls) was appeased, and not long after, larger liberties and immunities were granted unto them than formerly they had. They then finding that forcible means was not the way to attain unto their designs, they attempted the same in a more humble manner, pursuant unto his majesty at Hampton-court [anno 1 Jac.] by the hands of the fugitive traitor Tyrone) a petition subscribed by the principal men of that kingdom then in England (the earl of Thomond excepted) the substance whereof was a free toleration of religion, which being by his majesty rejected, and thereby they left in despair of success, treason entered into their hearts ; the plot was to kill the lord deputy and counsellors of state, to possess themselves of the Castle of Dublin, where the records and magazines of arms and ammunitions remain, and there to declare themselves in overt rebellion, hoping to obtain that by force, which by petition they could not do ; and to back this enterprize, a person of honour of that realm was sent to the archduke to solicit aid.

THE discovery of this treason moved Tyrone, Tyrconnell, and some other of their complices, to run out of Ireland. A peer of that realm, their associate, was taken prisoner, whom his majesty in his clemency pardoned.

THE next attempt, which was but a branch of the former, was the rebellion of Sir Cahir O Dohertie ; but a happy shot, which smote him on the head, ended that business. By the flight of Tyrone, Tyrconnell, &c. the rebellion of O Doherty and the traitorly Irishling, of Sir Neale O Donell, O Cahir, and others, six entire counties in Ulster (to dispose at his majesty's pleasure) escheated. There was no reason of merit in the natives to move his gracious charity towards them : nevertheless, the king in his princely goodness, left not unprovided every one according to his quality (having land at an easy rate) assigned unto them.

BUT neither the failing of those traitorly projects, nor yet his majesty's gentle hand in restraining his ministers from the execution of the laws in matters of religion, nor the benefits which they have received by his bounty, hath either gained their love, or humbled their obdurate hearts ; for they are not contented with the connivance used, no man being troubled for his conscience ; but as it were in contempt of the laws and government in divers parts of the kingdom, yea, in the English pale, they have re-edified monasteries, wherein friers publickly preach and say mass, and the cities, towns, and

country swarm with priests and jesuits, much more than in former times ; and in the fields seditious sermons are daily preached, whereunto thousands of people resort. They are grown so bold, as that they do not only exercise their religion almost in publick every where, but defend the same, even in the face of the state, against the oath of supremacy, to be tendered unto justices of the peace, mayors, sheriffs, bayliffs, and other publick ministers, which by the laws of the realm are to take the same, and also against the oath of allegiance, which every good subject ought to take, they are obstinately opposite ; the law for 12 *d.* the Sunday for not coming to the church, they resist, and scruple not to say (which never till of late they durst do) peremptorily, that both that statute, and others made in 2 Eliz. which is now 54 years since, are no lawful acts. Their sons they send to be educated in Spain, France, Italy, and archduke's dominions, more frequently than accustomed, which hath been no ancient custom amongst them ; for Sir Patrick Barnewell, now living, was the first gentleman's son of quality that was ever sent out of Ireland to be brought up in learning beyond the seas ; and now, lastly, how frowardly they have demeaned themselves, both before and since the summons of parliament, and after the first day of the first session of the same, shall be briefly declared.

UPON the signification of his majesty's pleasure to the lord deputy about Michaelmas 1611, that

that a parliament should be held in Ireland, for the better settling and reforming of that state, the lord deputy, as he was directed, published the same in writing (in his majesty's name) to the subjects of that realm, to exhibit their grievances, to consider of propositions that might be good either for the publick, or for the just relief of any particular; and further he told them, that for the better encouragement of the new plantations in Ulster, and generally for the drawing of inhabitants into such other places as were either weakly peopled, or dangerous in respect of their situations, that his majesty (in his princely care and wisdom) thought it meet to erect new corporations, which would produce good effects for the strength of the kingdom.

THESE his gracious intentions deserved applause, with dutiful acknowledgments of humble and hearty thanks; but it fell out otherwise, for nothing was so distasteful unto them as the name of a parliament, and especially, the noise of the erection of new corporations, was poison in their ears; for the priests and jesuits, who kept the natives of Ireland in awful obedience, have sowed such seeds of obstinacy in their hearts, as they presently resolved to impugn his majesty's designs to their utmost power: whereupon they were the more easily induced by a conceived fear, that not only for the present, laws would be made to curb them in religion, but that also in after times the king, by the addition of new corporations, the inhabitants in them being for

the most part protestants, would make what laws he pleased.

THIS malicious interpretation of his majesty's good meaning, fomented by seditious priests, took such firm root, as sundry lords of the English pale, assisted with the principal gentlemen of the same, endeavoured (before the summons) to break the intended parliament. In England after the summons, no skill or industry was omitted to raise scandals, whereby the hearts of the people might be alienated from it unto his majesty. In November 1612, the lords of the pale and others, in a joint letter, wrote against it, finding themselves grieved at the proceeding of the lord deputy and council, that they were not conferred withal about the bills of parliament which should be transmitted into England, which demand, by ancient custom and precedent never appertained unto them, they inveighed against the new corporations, exclaimed against the oath of supremacy tendered to magistrates, and darkly intimated (under colour of representing the perils depending upon the parliament) a danger of revolt, and aimed at a total overthrow of religion; and saying, that if his majesty would withdraw such laws as touched religion, their minds would be settled in a firm and faithful subjection. Unto the lord deputy, the 17th of May 1613, the said exhibited a petition, stuffed with stubborn, unseemly phrases, the contents thereof (for the most part) agreeing with the rebels aforesaid, had written unto
his

his majesty, and also in the same, they did not forbear to question the king's prerogative, whether he had power or not to erect new corporations, or to call by writ English or Scottish noblemen (landed in Ireland) to sit in his parliament. They found fault with many of the boroughs lately erected, alledging, wherein themselves presumed to be judges, that they were unmeet to be incorporated.

THEY excepted against the holding of the parliament within the Castle of Dublin, and also of the lord deputy's guard of 100 foot, as if the strength of the place, and the guard, had been prejudicial to their freedom. They excepted also against the powder and ammunitions which evermore had been placed in a room within the Castle: and many other frivolous objections were forced, which was done only to the end to impeach the proceedings of the parliament: and then finding their endeavours to be in vain, they concluded in their councils to refuse their attendance.

THE 18th of May 1613, being the first day of the parliament, according to the usual manner in the higher house of parliament, delivered their reasons which moved the king to call the general assembly, and the lord deputy, in his majesty's name, recommended to the commons Sir John Davis the attorney general to be their speaker; whereupon the knights, citizens, and burgeses, repaired to the commons house; but, in the election of their speaker contentions arose;

the protestant party named Sir John Davis, the papists cried, no ; and named Sir John Everard. The protestants, (according to the manner held in parliament) having given their Aye unto the election of Davis, went out of the house to another room adjoining unto it, to number their voices by poll, desiring the recusant party to send some of theirs to tell them, which they refused ; neither would they permit that themselves should be numbered ; and whilst the protestants without were numbering of their heads, the recusants within seditiously elected Sir John Everard to be their speaker, and set him in the chair. The protestants sending some of theirs to number the recusants sitting, and finding their voices to be the major part, being returned into the house, required Sir John Everard to give place ; but he sat still, and would not rise, he and the recusants insisting that their election was legal and just. Many words of hate in this division past to and fro ; but in the end, the protestants being the stronger party, and well assured that they were in the right, pulled Sir John Everard down ; whereupon, in a tumultuous manner, the papists went out of the house, protesting not to sit there any more. Before they were gone out of the outer room (which was locked, and they wanted the key) the protestants sent to intreat them to return to their places, and according to reason and usual custom, to submit themselves to the order of the house, and to admit of Sir John Davis (because he had the plurality of
voices)

voices) to be their speaker ; whereunto no other answer was returned but obstinate refusal. The day following being the 19th of May 1613, which was the second day of parliament, the Irish lords wrote unto his majesty, exclaiming against the proceedings in the election of the speaker, calling them preposterous, strange, and never heard of courses. They expressed their passions with epithets of *pius dolor* and *justa iracundia*. They did not vouchsafe in their letter to name the assembly a parliament, but termed it an intended action. They signified a general discontent, not only against the new corporations, but also against the plantations ; the new boroughs incorporated they termed *titulus sine re et figmenta sine rebus*. They wrote contemptibly against the persons, divers of the burgeses, and as in their former letters, so in this they intimated menace of rebellion, and in a manner delineated how it might be managed.

THE same day the commons house of parliament wrote to the lords of the council of England, wherein they took exceptions against the new corporations, and at divers of the burgeses sent from them. They complained of wrong done unto them ; that Sir John Davis was set in the speaker's chair, and that Sir John Everard was forcibly pulled out of it. They exaggerated their case so far (as they said) their extremities were such and so strange, as they wanted words to express them, and so unlikely to be believed,

as that they were not to be equalled to any accident (how rare soever) transmitted to posterity. They charged his majesty's counsellors and principal officers of state in Ireland, to be the actors of the disorders complained of.

THE 20th of May 1613, the commons exhibited a petition to the lord deputy, wherein they presumed (in a fort) to call the king's acts and proceedings to account. They prayed to be dispensed for their attendance in the house, pretending that they were in fear of their lives. They required by what authority most of those which did possess the house, sat therein. They craved the sight of the grants of the charters of the new corporations, and likewise the view of his majesty's letters for the erection of them, together with the returns of them and other places for the parliament.

THE day following, being the 21st of May 1613, they preferred another petition to the lord deputy, wherein, by way of condition or contract, that if they might be secured of their lives, that if they ought to have the benefit of the laws of the kingdom, and the censuring of the undue returned knights and burgessees, then they would repair to the house, and present their speaker; all which the lord deputy, in his majesty's name, granted; willing them to repair to their house, and he would be ready in the upper house to receive their speaker.

BUT their intents were far different from their words, meaning nothing less than to conform themselves;

themselves ; for the same day they delivered unto the lord deputy another petition, therein demanding that all such burgeses of the new corporations might be sequestered from the house, and excluded, before the objections propounded against them were declared and decided ; which was a strange demand ; for who knoweth not, that until a speaker be established, differences concerning undue elections cannot be determined ? And albeit Sir John Davis, according to the form of parliaments, was legally set in the chair, yet they would not so acknowledge him, as appeared in this said petition, wherein (using their own words) they said, that Sir John Everard, being by us (that are orderly returned) elected irregularly by others, and another intruded into his place by force, &c. it plainly letteth open the cunning they used in their former petition, in saying, they would present their speaker, meaning Sir John Everard, whereas the lord deputy intended to receive Sir John Davis.

THE same day, the 24th of May 1613, they exhibited a second petition to the lord deputy, wherein they discovered a manifest combination with the commons of the recusant party, little or nothing in the same containing matter touching the upper house. They complained of undue returns made by the sheriffs and others ; of the knights and burgeses ; of the new corporations ; of men chosen to serve, that were not resident in them at the holding of the parliament in the Castle of Dublin ; at the lord deputy's guard ;

guard ; that Sir John Davis was not duly elected speaker ; that Sir John Everard had a true and orderly election ; that he was by force ejected, and by the same force Sir John Davis intruded. They questioned the lord deputy's authority in erecting new corporations, saying, that his commission did not bear it. They prayed a dispensation for not attending the parliament, and desired leave for some of themselves to go into England to complain unto his majesty. By this it appeared, that their wilful obstinacy was in a degree more faulty than that of the lower house, because they intermeddled in business not appertaining unto them.

THE next day, the 22d of May 1613, the presented a third petition to the lord deputy, wherein they peremptorily said, that they would not come any more to the house, until his majesty had taken some better order for the settling of things : their reasons were, that although the commons house and others were houses distinct, yet, they both together made but one body ; protesting also, that any laws made in this parliament, would, in the execution of them, be cried out on by the subject, as disorderly, and unjustly enacted.

THE 25th of May 1613, the recusant commons, by petition, pressed the lord deputy, in an undutiful manner, to give them the copy of his majesty's letter for the making of new corporations, the view of their charters, the return of all the knights, citizens, and burgessees, &c.
and

and licence for their agents, to present the difficulties and occurrences happened in the parliament unto his majesty, to the end they might know his pleasure therein. Lastly, they demanded the copy of the commission for holding the parliament.

IN this mean time the lord deputy, seeing the froward obstinacy of the recusants in both the houses (by proclamation in his majesty's name) commanded them to repair, for the passing of the bill of recognition, to the parliament houses.

BUT instead of their personal appearance as they were commanded, and in duty bound, the recusant commons the 26th day of May, presented a petition to his lordship, wherein they acknowledged and recognized the king's just title to the realm of Ireland, and their obedience to him; but yet with an obstinate resolution they protested never to return to the house, until the knights and burgeses, which they would except unto, were turned out of the house, and until Sir John Davis were rejected, and Sir John Everard established, and received to be their speaker.

AFTER the example of the commons, the lords, in a petition to the lord deputy, upon the 27th of May, excused their not coming to the house, and in manifestation, that their refusing to attend, as by proclamation they were commanded, was no want of duty or affection to his majesty; they made in the same, a recognition
of

of the king's just title to the crown of Ireland, but directly refused other personal attendance in the parliament, for the reasons which they had formerly alledged.

THE lord deputy, to every of these petitions, with extreme patience, gave mild and satisfactory answers, *Sed opus et olium perdidit*: unto persuasions that moved to conformity, they were as deaf as adders, no words tuned a pleasing sound in their ears, that did not say, away with the new corporations, cast Davis out of the chair, and place Everard in it.

THE lords and gentlemen of the recusant party, at their first coming to the city of Dublin, came attended with extraordinary troops, as if they had a purpose to effect their designs by force, which was feared they would have attempted if the parliament had been held in the town, as heretofore had been accustomed.

WHEN they were moved by the lord deputy (before the summons) to consider of the propositions meet to be handled in that great council, they never made use of his majesty's grace, whereby it was evident that they went to oppose, and not to concur in the making of laws.

IN the choice of the speaker, they did impugn against him whom his majesty had recommended; and when they saw they failed in plurality in voices, mutinously they nominated an Everard speaker, who of all men was most unmeet, being formerly (for reason of state, for being a perseverant catholick) displaced from
the

the office of a judge, nevertheless they obstinately and seditiously maintained his undue election.

NOTWITHSTANDING the just and honourable answers made unto them by the lord deputy, to all their petitions, assuring them, on his majesty's behalf, safety, freedom, and protection, during the parliament, and satisfying them articulately to their exceptions, remitting to their own censures and examinations, the misreturns and undue elections of knights and burgesses, and yielding to all their demands, as far as the place he held, and the majesty of the person he represented, could possibly bear: such, yet, were their forward dispositions, as in contempt of the king and his regal authority (without licence) they departed from the parliament; notwithstanding, by proclamation, upon their duty of allegiance, they were required to return, and having notice given them, that no other act upon the day (prefixed for their return) should be read in the house but the act of recognition only; but their passions so far overmastered their judgments, as they peremptorily refused to obey the proclamation.

THIS obstinacy of the commons was in some worse degree seconded by the recusant lords; for, besides the proclamation, every lord had an express messenger purposely sent unto them, to require their return, with promise, as before, that no other bill should be read, but that of recognition. But neither fear of the king's indignation,

tion, nor yet the band of duty appertaining unto subjects, had power to work their return : and so the first session of parliament abruptly ended, and presently, certain selected of both the houses for the recusant party, were sent into England, as well to complain unto his majesty of grievances, as to make apologies for their obstinacies afore-mentioned, and for the defraying of their charges in this employment, by the persuasions of priests, a general levy of money was made throughout the realm, whereunto the popish subjects did willingly condescend.

A discourse of the present state of Ireland,
1614, *per* S. C.

IN kingdoms conquered, nothing but time, and that also must be the flux of hundreds of years, hath power to unite the conquerors and the ancient inhabitants in perfect amity. Examples hereof are pregnant in many kingdoms of Europe, and particularly in Ireland. It is evident, for until of late, the old English race, as well in the pale, as in other parts of the kingdom, despised the meer Irish, accounting them to be a barbarous people, void of civility and religion ; and other of them held the other as an hereditary enemy ; and so it would have continued for many years yet to come, had not these latter times produced a change, the occasion whereof proceedeth from these three heads ensuing :

FIRST,

FIRST, their frequent marriages one with another, which in former ages was rarely seen.

SECONDLY, the meer Irish (by their travel abroad) are civilized, grown to be disciplined soldiers, scholars, politicians, and further instructed in points of religion, then accustomed, whereby the antient dislike and contempt is laid aside.

LASTLY, the late plantation of new English and Scottish in all the parts of the kingdom, whom (with an unanimous consent) the natives repute as a common enemy; but this last is the first and principal cause of their union, which with all possible art they endeavour to disguise, covering the same under the colour of religion, pretending, that nothing but matter of conscience moves them to concur in opposition to the present government; for this cause in (*odium terris*) the slaughters and rivers of bloodshed between them are forgotten, and the intrusions made by themselves or their ancestors, on either part, for title of land, are remitted. Which characters, of inveterate malice (reciprocally rooted) are as well in the hearts of the conquerors, as the conquered; and the wit and industry of man (but for the respects recited) were no way able to deface and extinguish, they being then enjoined (as is evident) it is worthy the consideration (admitting they rebel) what more danger to the state, their union can now produce, than in former ages. The rebellions in times past have been moved (for the most part) upon particular quarrels

quarrels between themselves, the weaker evermore praying aid from the state, to preserve him from the oppression of his neighbour; some others having risen (whereof there are examples) out of disdain, to subject themselves to the laws of the land, which appeared in the earls of Desmond and Tyrone; and when they found their swords too weak to maintain their treasons, as men in despair (to be received to mercy) have drawn foreign forces (which was unusual) to their aid, whereby the kingdom hath been in some danger. But in all these tumults whatsoever, the greater part of the inhabitants have overserved the state, or have stood neutrals. The cities and inclosed towns never gave cause of suspicion of defect; and of the old English, though some branches might fall into rebellion, yet the body hath evermore remained sound and firm to the crown of England, whereby we may conclude, that these forepassed rebellions have been more troublesome than dangerous, and the cause of small danger hath been their disunion, for the reasons aforesaid. But now contempt and rancor sleeping, and the general ill affections to the state, as well for the cause of religion, as for the new plantations encreasing, (whereby they are united) the next rebellion, whensoever it shall happen, doth threaten more danger to the state than any that hath preceded, and my reasons are these:

I. THEY have the same bodies they ever had, and therein they had and have advantage of us.

2. FROM

2. FROM their infancies they have been and are exercised in the use of arms.

3. THE realm, by reason of long peace, was never so full of youth as at this present.

4. THAT they are better soldiers than heretofore, their continual employments in the wars abroad assure us; and they do conceive that their men are better than ours.

5. THAT they are more politick, and able to manage rebellion with more judgment and dexterity than their elders, their experience and education are sufficient.

6. THEY will give the first blow, which is very advantageous to them that will give it.

7. THE quarrel, for the which they rebel, will be under the veil of religion and liberty, than which nothing is esteemed so precious in the hearts of men.

8. AND lastly, their union is such, as not only the old English dispersed abroad in all parts of the realm, but the inhabitants of the pale, cities and towns are as apt to take arms against us (which no precedent time hath ever seen) as the antient Irish. Being then granted, that the revolt is like to be general, experience the master of fools, and reason the rule of wise men, hath sufficiently taught them that his majesty's sword is too sharp and heavy (when his pleasure is in his just indignation to draw the same) for them with their own forces to resist; wherefore we must imagine, that they will never take arms until they be assured of the aid of some foreign

prince, this in reason they will do, or pay the ransom of their follies with their ruin.

TYRONE is said to have a design for Ireland; the same intelligence reports, that he hath found means to raise a competent force to put the kingdom in a flame, and to move us to be jealous; that the intelligence is in part or in all true, in the late coming of the pope's archbishop of Dublin into Ireland, who hath a pension of 300 ducats *per* of the Spanish king, and was sent from Lovaine into Spain to negotiate for Tyrone's support. This his repair into Ireland agreeing with the intelligence, gives no less cause of suspicion than the sight of a sea bird, called a Petrel, of a storm ensuing. Tyrone's councils aim no farther than to try his own fortune by stolen forces brought with him, although it must be confessed, that the flightest occasion countenanced by his presence, and fomented by the priests, is sufficient to disturb the peace of the realm, and to set a fire in every part thereof, which will cost the lives of many of his majesty's subjects, and the exhausture of great masses of treasure, before it be pacified. It yet will not move the cities, nor the gentlemen of the English pale, or men of great possessions (although their hearts are with him) to set up their rests upon so weak a foundation, but as in former times they will be lookers on to see how the game is played.

TYRONE is known to be witty and crafty in nature, and now, by reason of his many years
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and great experience, much wiser, the disposition of his body (worn with time and travel) are motives of his rest. He hath a competent pension from Spain for his relief. His age is sufficient to deter him from great and toilsome attempts, and especially from such as must be determined by a long tract of time, which he is like never to see; wherefore, if he do intend any enterprize for Ireland, we have reason to conceive it to be such a one as that for the instant he will be able to carry all things smooth before him without resistance, which can be never done without a foreign army, paid and supplied by a powerful prince. If any such accident should happen, then we have just cause to fear the union of that people whose hearts are prepared to extirpate both the modern English and the Scots, which is not difficult to execute in a moment, by reason they are dispersed, and the natives swords will be in their throats in every part of the realm (like the Sicilian vespers) before the cloud of mischief shall appear.

As yet there is no cause discovered, that any prince in Europe hath a design to break amity with his majesty; nevertheless it is wisdom to mistrust the worst, and not to be over credulous in the faith of any, and especially of such as are opposite unto us in religion, or jealous of his majesty's greatness.

FUGITIVES of Ireland are entertained and relieved only by the pope, the king of Spain, and the archduke, a branch of Spain. Upon

these princes, both the traitors abroad, and the traitorly disposed at home, have fastened their hopes, relying themselves upon their protections and aid in case of necessity.

OF the pope's desire to tear his majesty's crown in sunder, no man doubts ; and of Spain we can judge no otherwise, than of a reconciled enemy, apt to break faith when occasion shall serve to advance his ends, which is, and evermore hath been, notwithstanding all oaths taken at the confirmation of treaties.

THE familiar practice of popish princes, even in the times when all the world was Romish, and therefore much more now to be suspected by princes of the religion, the catholicks being assured to be absolved by his holiness. Reason of state moves both the one and the other to wish and endeavour the diminishing of his majesty's greatness. The ecclesiastick prince, because our king is the most powerful defender of the gospel, the enlarging whereof will in a prosecution of time dissolve his triple diadem ; and the temporal monarch fears his sea and land forces, which not many years past made his father tremble, as well Spain as in his Indies ; no king in Europe being so able to manifest him in either as his majesty.

THESE violent motives springing from fear and envy, keep their malice awake. The pope needs not to satisfy the world for the drawing of both his swords, *quere angelos*, for in being God's vicar on earth, he is bound in conscience
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to extirpate heretical princes (and such a one he esteems his majesty to be) by all possible means whatsoever. The Spanish king can never want pretences to blind the world, for the defence of the breach of his league, which by the catholics will be applauded; and if no other shift were to be found to preserve his humour, the plantations in the Bermudas and in Virginia, or his obedience to the church, being incited to a war by the pope, will be enforced as sufficient.

I do not conclusively deliver my opinion, that they will either at this present, or within a prefixed time attempt any of his majesty's kingdoms; notwithstanding, I am confident, that whensoever a fit opportunity (sorting with their desires) shall offer itself, that they will take the advantage of it, for the eyes of fear are ever open, and hearts swoln with envy study mischief.

ADMITTING then we have reason to suspect that Rome and Spain finding an aptness in the natives of Ireland, now vinted to speak of their obedience to his majesty, and to cast themselves into their arms; and that the pope would confer his pretended right to that realm, which he challengeth to be *patrimonium sancti Petri* unto the king of Spain, as his predecessor did the king of Navarre to *Ferdinando et catholico*; and that the Spanish king accepted of the same, and under the pretence of some other invasion (at the natives desire) send an army of ten thousand foot into Ireland in one or two bodies, armed with the pope's indulgences and excommunications,

I think that little doubt is to be made, but that all the modern English and Scotch would in an instant be massacred in their houses ; no city or walled town would open their gates unto such as should escape the fury ; his majesty's forts, and private men's castles, not being manned or victualled to sustain a siege, would be surprized : yea, the city of Dublin (in such a general revolt) would scarce be secure for the lord deputy, and such as should survive.

A DISPLANTATION being thus effected (which would not be the work of many days) the conquering of Ireland will prove an Herculean labour, and no less difficult than the recoveries of Aquittain and Normandy, have been to the French kings, from his majesty's royal progenitors.

It hath ever been held as an infallible maxim, that no monarch in Europe is able to maintain a long war against his majesty in Ireland ; and no man hath been more confident in that opinion than myself ; and so I remained, until this fearful and unexpected union gave me cause to mistrust more danger than otherwise I should have done : for who did ever dream of a general defection in all the natives, which now is probable ? It was always supposed the king should evermore have a strong party in the kingdom, and that the cities would never decline from their duties, as is now to be feared ; this strange alteration must needs produce strange events whensoever Spain can be drawn to invade that realm, which
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is no less wished and laboured by the priests and jesuited catholicks of Ireland, than liberty to such as groan under captivity proceeding from the abundance of their malice, which hath so blinded their reason, as that they loath his majesty's safe and sweet government, tempered with justice and mercy, and oversee the tyrannical dispositions of the arrogant Spaniards who would whip them with scorpions.

OF their affection to Spain their desire to draw Spaniards into Ireland, and how glad they would be to subject themselves to the Spanish monarch, I need no other reason to persuade me to believe it than the speeches which I have often heard fall from the lips of protected rebels, who have ingenuously told me the truth of their hearts, and in discourse when I have replied that no king in Europe was able to maintain a long war with the king of England and Ireland; and therefore their projects in drawing Spanish forces to their aid, would prove vain and ridiculous; I have been answered that the maxim was true, if no other after the English were displanted, than a defensive war were intended; but the way for the king of Spain to hold that realm, was out of Ireland to make an incurfive war upon England, which by reason of his great interest he was able to maintain, being drawn to a length would so consume and weaken us to a peace, and permit the Spaniard, as our neighbour, to enjoy his conquest. This I assure myself they confidently believe to be feasible, and

upon this council their hopes are strongly fixt, taking for an instance the example of the united provinces, who by foreign aid have driven Spain to sit down with loss; although that I can hardly believe that the Spanish king will be induced to make an overt war against his majesty, or if he did that, the success would be such as they promise to themselves; yet it must be granted, that the council is very pernicious, and worthy of the consideration how to prevent it: for what the wit or industry of the Irish traitors may effect, must be expected, and although they be not able to draw upon the realm all the mischief they desire, yet we have reason to mistrust, that they will endeavour the uttermost of the ill they can procure, which is likely to be the return of Tyrone, with such aids as he can bring with him, or a home rebellion, either of which will prove chargeable and troublesome to suppress. His majesty, to prevent these dangers, hath in his power means and time sufficient by taking of such pledges as the lord deputy and council of estate there shall make choice of, and erecting of citadels at Waterford and Cork, to contain the best sort of the natives in due obedience, which may be done with a small charge, and according to the ancient manner; in the like cases out of his realms of England and Scotland to have companies designed upon all occasions to be in a readiness to be transported as occasion shall require, which for the present will be sufficient.

LETTER

L E T T E R I.

To the right trusty and well beloved Sir Arthur Chichester, knight, our deputy of our realm of Ireland, and to the rest of the council there.

JAMES R.

R I G H T trusty and well beloved, we greet you well. Although since the coming of Cooke our secretary, and Davis our solicitor, sent from you by our appointment, to report your answers to some propositions directed from hence unto you, concerning the establishment of the quietness of that realm, and to acquaint us with all other our affairs there, we have not had time to enter so far into the particular consideration of every point of their charge, as thereupon to take resolution, that thus much we conceive by the first view of your answers, that you have used so much both of diligence and judgment in the presenting to us many good councils for things to be put in execution, as doth both deserve our good acceptance, and give us hope that the same industry which you have used in offering good devices, you will perform in executing of our commandments when we shall signify our pleasure what shall be done in every of the particulars, which shall be as soon as other affairs will give us leave to fall into consideration thereof;
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of; in the mean time, because there cannot be a better beginning to a peaceable government, than to diminish the causes of offence, and whereby vexations do or may arise, we have abated the number of our army as well in companies as in wards, and in some other titles; and have sent unto you a new establishment signed with our hand, according to which our pleasure is, that you shall give forth your warrants for our pay, beginning the first of April last past. In which diminishing, although there be some small saving to us, yet that which we have most regarded, and which we take most comfort in is, that thereby there shall follow a great ease to our people, for we are not ignorant that soldiers are never so well contained within the bounds of any discipline, but that they break out into many disorders, whereof the burthen falleth upon the people. For prevention whereof, we purpose to have the number of our army as little as may be, having so great confidence in the loyal disposition of our subjects towards us, seeing that hitherto since our entry into this kingdom, there hath not passed neither from them towards us any matter of distrust, nor from us towards them any matter of grief, as that they will every day more and more offer us occasion to lessen the number of our forces, and frame themselves to such recourse of civility and obedience, as shall give us cause to have better assurance in their loves than in any garrison; which state and condition, as it is our chiefest desire to
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bring them to, so do we charge you to bend all your endeavours to that which is to our end, and to ease the people as much as may be of the burthen and oppression of the soldiers, that they may perceive, that those which are maintained in pay, shall serve rather for necessary instruments to preserve the good subject, than annoy any. To which course, as our pleasure is, you shape all your proceedings; so that if contrary to our expectations there shall break out any corrupt humour, such as with the garrisons remaining, you cannot suppress, we would have you to understand, that we mean not to abandon our honour to the insolence of rebellious subjects; but as we will withal dispatch supply you from hence with whatsoever shall be needful to reduce any rebel to his duty; so because it may happen that such supplies may be long in coming from hence, and speedy using of force may be more requisite: in such causes we do hereby give you warrant and authority, with the advice of our council there, to levy any number of men which shall be needful for such an extraordinary occasion, and put them in our pay for so long time as you shall see cause. And where in this establishment, which now we send, that may be there is some ward dissolved, which you shall find cause to continue, or if you shall hold it necessary to erect some new ward in place convenient for our service, we can be pleased in such causes you use your liberty, either to continue that which is appointed to be discharged,
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or to erect a new, so as in the whole you do not charge us above one thousand pounds a year, or thereabouts ; you shall further understand, that the encrease of entertainments to the judges and officers formerly paid out of the army, being seven and twenty shillings by the day, is from henceforth to be paid unto them out of our revenues of that kingdom, and in the title of foot-bands in the establishment mentioned. The three inferior officers and the fifty footmen in every band, are to receive the weekly imprests formerly paid unto them, and to have apparel from the merchants for this summer, and then their whole pay without apparel to begin the first of October next following the date hereof, which shall be the year 1605 ; and these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our manor of Greenwich the xxixth day of April, in the third year of our reign of England, France, and of Scotland the eight and thirtieth.

L E T T E R II.

To our right trusty and well beloved Sir George Carey, knight, our treasurer at wars in our realm of Ireland.

JAMES R.

TRUSTY and right well beloved, we greet you well. Where we have appointed Sir Arthur Chichester, knight, to be our deputy
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of that realm, we have assigned unto him for his maintenance in that place, all such fees as you did lately receive while you were deputy; and we are further pleased, that the said Sir Arthur Chichester shall towards his charges have yearly one thousand pounds of current money of England, to begin from the day of his entrance into his charge, and continue during our pleasure; and that you shall advance unto him presently the sum of five hundred pounds, for his preparations, as of our free gift, without account to be set upon him for the same. Wherefore we will and command you, out of such of our treasure as shall from time to time come to your hands, to pay or cause to be paid to the said Sir Arthur Chichester or his assigns, as well the said entertainments appointed to him out of the ordinary entertainments of our deputy there, as also the said thousand pounds yearly, and the said advancement of five hundred pounds of our gift. And these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our honour of Hampton Court the 16th day of October, in the second year of our reign of England, France and Ireland, and of Scotland the eight and thirtieth.

L E T T E R

L E T T E R III.

To our trusty and right well-beloved Sir Arthur Chichester, knt. our deputy of our realm of Ireland.

JAMES R.

RIGHT trusty and well-beloved, we greet you well. Forasmuch as it shall appear unto you by our letters to the deputy and council in general, both what interpretation we have made of your refusal, and upon how good an opinion of your sufficiency to discharge the place, we have grounded our election, so needs no more write unto you now, as doubting your conformity to our pleasure, but rather according to the necessity of our service, to begin to acquaint you with such direction in your first beginning, as may help to guide you in the succeeding times. For the better performance whereof, as we have made it publick by those letters, that we intend to call a parliament, at which meeting opportunity will be as well offered to lay open and to reform the lurking inconveniences of the state, as to constitute new laws for the future, to have, we hold most necessary to consider how things may be best prepared against that time; for which purpose you shall now take notice by this letter of ours, to be intimated to those whom it doth concern, that we would have a present consultation of all such things

things as may tend to the better establishment of the true religion professed, of the general policy and justice of the realm in civil government, and of the better ordering of our receipts and issues, both for our honour and profit; in all which things, although we mean not to forbid you, as cause shall serve, to communicate with such of our ministers our counsellors, as shall be necessary; yet, because in all consultations some are more proper to be particularly employed than others, and that such particular distributions make things to proceed with more maturity and better expedition, we think it convenient that you do especially consult with these persons following, according to their several places and professions, namely, the bishops of Meath and Downe, the two chief justices, the chief baron, the master of the rolls, Sir Richard Cooke, secretary, and Sir John Davis solicitor, or as many of them as can from time to time attend the service. After which consultation, and some principles laid down, we shall like it well, that you do send over both Sir Richard Cooke and Sir John Davis, thoroughly instructed in all things falling into your memory, either fit to be handled in parliament or council, by whose relation of your opinions, we may resolve, after further consultation here, as well of the times of the summons of the parliament, as of the matters fit to be treated and concluded therein; among which considerations, although we do refer both the forms and the matter to be
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first handled and reported to us, according to your particular experience ; yet we think it not amiss to let fall some few general heads convenient to be thought of, as well for making known, that we are as careful of that state as the present time can permit, as also to root out the jealousies which have been formerly conceived, that daily advantage should be searched for by the ministers of that realm to molest and oppress them for so old offences, only to serve private turns ; a matter so odious to our nature, to whom generally that people have carried themselves as becometh natural and loving subjects, that we would have it one of the first works you should do to secure them from ever being called in question for any offence done either before or in the precedent rebellion, upon any pretext whatsoever. And next to assure the meaner sort of our protection of them against any of their lords, or other gentlemen in their countries, that shall upon any colour or advantage use extortion or oppression towards them : provided always, that they do seek redress by the ordinary course of our laws, or otherwise by orderly complaint, as becometh good and loyal subjects. You shall also remember to bethink you of some course how the north may yield some composition towards the maintenance of some of these garrisons ; but not proceed any further than by way of private consultation and advice, until we be further informed. So shall you do for reviving the old composition for Connaught, or elsewhere,

elsewhere, and particularly for Munster, where we think it might be so used, as the towns there might very well ease our charge, by contributing to the maintenance of the soldiers in that province, portions of victuals in respect of liberties forfeited, or to be eased from some other burthens, which may by our lawful prerogative be used to their further charge; which will be best effected, if you forbear to grant them confirmation of their charters, till further considerations be had of all these things. Further, our pleasure is, that a restraint be made presently of passing the spiritual lands in the north, or elsewhere, either by lease or other grants in fee, without our warrant signed; and that a very sufficient inquisition be made of what lands, spiritual or other, are now in our power to dispose, and especially in the county of Monaghan, that upon the return thereof there may be order taken for division of that country to the Mc. Mahons, according to former promises made unto them, and otherways, as we shall think meet.

THUS have you, for the present, some such memorials, as may open unto you the scope of our intentions, all which we do refer to your discreet carriage, not meaning to proceed in any thing without moderation, which may stand with the peace and quiet of that realm, knowing well that time and opportunity must be taken according to occasion; and yet that no good conclusion on the other side can ever follow, ex-

cept there be an orderly and speedy beginning, wherein we doubt not but God will bless both your labour and ours, according to our inward mind, which affecteth nothing else but to reduce that kingdom, by all good means, to a constant peace and felicity, as one of the crowns which God hath committed to our care, wherein we will never be wanting. Given under our signet, at our honour of Hampton-court, the xvith day of October 1604, in the second year of our reign of England, France, and Ireland, and of Scotland the eight and thirtieth.

L E T T E R IV.

To our right trusty and well-beloved Sir George Cary, knt. our deputy of our realm of Ireland, and to the chancellor of that our realm, and the rest of our council there.

JAMES R.

TRUSTY and right well beloved, we greet you well. At the humble suit of you, our deputy, oftentimes renewed unto us since the last spring, to be licensed in regard of your health, and for your own particular affairs, to come over hither, we did, by our letters written the 24th of July last, grant you leave so to do, and gave you order to deliver over our sword to Sir Arthur Chichester, knt. whom we made choice of to supply that place of chief governor there, with the title of justice of that realm, in the absence

sence of our lieutenant ; which our pleasure hath not been executed, because you, Sir Arthur Chichester, have excused yourself of accepting that place, and sent unto our council divers reasons in writing to justify your said excuse, and to show why you should not be meet to undergo that charge ; all which we have diligently perused and considered, but are not therewith otherwise moved, than to hold them good arguments of your own modesty, but no grounds why we should forbear to impose on you to undertake the service laid upon you : for although in persons called to publick charges of so great honour as that is, modesty and slackness to accept them be a virtue as rare as it is commendable, when it is truly found ; yet it is not just reason to princes to deprive themselves of the service of such persons, but rather a motive to call them forward. And seeing that the sufficiency which moved us first to choose you, and doth now in your excuse verify itself, shall be supported with the countenance of our commission and authority, we doubt not, both together shall so enable you, as for the time we mean to see your service in that charge, the same shall be supplied to our contentment, and to the encrease of your merit in former services ; wherefore we have resolved to lay the place of deputy in that kingdom upon you, and do command you, for our part, to accept the same. And you, our now deputy, upon the receipt of these our letters, as soon as things may conveniently be put in order for the solemnity used in like cases, to deliver

up our sword to Sir Arthur Chichester, as our deputy, and to make unto him, under our great seal there, all such commissions or letters patents, as have been used to be made to our deputy there, or as shall be needful for him, for the exercise of that charge. And that being done, you, Sir George Cary, may return to us so soon as you think fit, for your health, having settled such things as shall require your advice upon this translation of the place to another's government; wherein, because there are many things that do require both reformation and better establishment of that kingdom: for which purpose no consultation is so proper as by calling the three estates of the realm together, to consult and resolve of all things tending to the good of the realm, we have thought fit to let you of our council know, that we are resolved, so soon as our greater affairs are passed over here, to send authority for summoning of a parliament, to which end we mean to consider here, by the help of such advice as we shall have from thence hereafter, of all such things as are most necessary; towards which we shall be the better assisted, by hearing your opinion first upon your arrival, as we shall likewise expect to do from our deputy that remaineth behind you, who shall receive like directions from us to enter into consultation thereupon, and these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our honour of Hampton-court, the 16th day of October, in
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the second year of our reign of England, France, and Ireland, and of Scotland the eight and thirtieth.

L E T T E R V.

To our right trusty and well-beloved Sir Arthur Chichester, knt. our deputy of our realm of Ireland.

JAMES R.

TRusty and right well-beloved, we greet you well. Upon further consideration of such memorials and propositions as have been offered to us by those of the council of that realm, sent from you, authorized to communicate unto us your counsels of things needful to be done for the well settling of that state; and after consultation had with our privy council here upon them, we have thought good to signify our pleasure to you upon divers points thereof, and the rest shall follow, as our affairs here shall give opportunity: first, for the better administration of the justice of that kingdom, which is the best contentment that a sovereign can yield to any subject; we are pleased to encrease in either of our benches there, one justice more, with competent fees and allowances; and will make choice of sufficient persons from hence, by the advice of our chancellor and chief justice here, to supply those places, and will qualify them either with the titles of serjeants

before their going, or otherwise, in such sort as shall be thought meet for them, the better to authorize them. And to them, that both they and all other our justices there, may exercise their places with more respect among our people, we think it fit they should all use such robes as the judges of our realm here have, and the same to be furnished at our charges, for which these shall be warrant to you our treasurer, to make them allowance of twenty marks yearly the piece, for twelve yards of cloth in grain, and furs for their said robes, as here is allowed in the said realm to the barons of our exchequer, for their robes; and for you, our deputy and council, to give warrant by *concordatum* for the payment thereof. And we are likewise pleased. that for the countenancing of the principal officers of our justice there, the two chief justices, the chief baron, and all judges in their circuits, shall be honoured with the title of lord, as in this realm is used; and do authorize you, our deputy, so to stile and intitle them, and to make it known to all our people there, that they may respect them accordingly. And where we are informed that Sir John Everard, one of our judges there, though otherwise commended for his knowledge and upright carriage in our service, is a notorious and obstinate recusant, so as the example is scandalous, and an encouragement to others, whom, for his good parts, we would not publickly disgrace; yet, in regard of his recusancy, we cannot, without wound to our conscience,

conscience, as well as for example sake, think meet instruments, advise him presently to resign voluntarily his place, and to take some allowance of us for his maintenance in private life, lest that we be forced, rather than to suffer him to be an example of disobedience to others, to remove him by authority. And we hold it also necessary, for your better information of the execution of justice in that realm, that the judges of our benches, and other justices of assize and gaol-delivery attending the state there, shall make several circuits and progresses once in every year at the least, into the provinces of Munster and Connaught, so as the true state of things in those remote places may be from time to time discovered and reported to you. And touching particularly the settling of the province of Ulster, we have given a commission under our great seal here, for division and bounding of the lords and gentlemens livings, and such other purposes as is by you required, which commission is penned by good advice of our learned council here, and the particulars hereof will appear to you by the reading. That which resteth for us to do, is but to recommend unto your diligence the execution of that in such sort, that the fruit may follow, which we are put in hope shall. We have also directed to some of you a commission to compound with our subjects there for defective and imperfect titles, according to the pattern of that which is in execution there; and have resolved from henceforth to grant no more warrants of

lands, coming within any titles of concealment; because we hope that thereby both our people shall receive contentment, and our coffers some augmentation, by the composition with the tenants of such lands. One other commission we have now renewed upon your request, for composition for old debts and arrears of rents, with some enlargement of the commissioners power to abate in the principal what in discretion they shall think meet; in which enlargement we must expect their diligence and fidelity in examining the cause of the said abatements, before they yield to them; and likewise their providence, that if any such abatements be demanded by such as make reclaim of debts from us, that before they yield to them, they obtain a discharge for us of all such debts as are pretended to be due by us to any such petitioners, and of their proceedings in this commission, we require you that we may have a due certificate every six months, so as we may discern thereby of the loss or benefit we receive by this trust given to them: and in this matter of our revenues, we have thought good also to direct you, that from henceforth all rents, compositions, and profits whatsoever, growing due to us within any of our provinces there, as Munster, Connaught, or elsewhere, be paid into the receipt of our exchequer there; and that the justices and ordinary officers of our said provinces, be paid out of the receipt of the same revenues and compositions: and likewise our pleasure is, that all other compositions

positions in the pale, as Leinster and elsewhere, shall be paid into our receipt, And for that we are informed much offence hath heretofore been taken by our people there, at the purchasing of land by surveyors and escheators, upon offices found by themselves, whereby also our revenue hath not been a little prejudiced; our pleasure is, that you take order now for the present, as well as you may, and further hereafter by parliament, that no surveyor or escheator shall purchase any lands of his own finding or surveying; and hereby you may perceive what our determination is for our affairs there; for the execution whereof, you shall shortly, either by our said servants at their return, or otherwise, receive such commissions and warrants as be necessary; and in the mean time understand further, that we are so well satisfied of your diligence and care taken in those things which we recommend to you, and of all other parts of your service, as we would not forbear to utter it unto you for your comfort and encouragement in the rest of your proceedings, whereof you shall in time convenient reap the fruit at our hands, when occasion shall be offered for you to seek, and us to perform it for you. Given under our signet, at our palace of Westminster, the 27th day of June, in the third year of our reign of England, France and Ireland, and of Scotland the eight and thirtieth.

LETTER

L E T T E R VI.

To our right trusty and well beloved Sir Arthur Chichester, knight, our deputy of our realm of Ireland.

JAMES R.

TRUSTY and right well beloved, we greet you well. Since our former letters of the xxiid of the last month we have been made acquainted by our council with two dispatches received by them from you, the one of the xviiiith the other of the xxiiid of the same month, upon the several points whereof we have had consideration with them, and do hereby return you answers. And first touching that of the xviiiith, the parts whereof are two; first, a report of your proceedings with the shires of the pale, about the composition for cess and the conclusion taken therein, it needeth no other answer but our approbation, and that we do take in good part your pains and industry therein used, and do require you to continue your like diligence with the other five shires, to reduce them to a like composition, according to your purpose signified in that letter; which composition to the end it may surely be maintained, and our honour and your credit therein preserved with our people; we have taken order for the sending away from hence presently of the sum of fourteen thousand pounds, with special charge

charge to the treasurer that no part thereof shall be issued here for any respect whatsoever, but that the same shall come wholly into the kingdom to supply the wants thereof, whereby the second part of that your letter is satisfied, being, in effect, nothing else but an earnest expressing unto us of those wants. And we have further given order, that to prevent the like necessity hereafter, there shall follow within six weeks or two months, other ten thousand pounds, and so from time to time such other supplies as our great expences here may give us leave to afford. Your other letter is of many points, whereunto thus are our answers in order; first, touching the country of Monaghan, for which you desire authority from us to dispose of it in such sort as may raise some benefit to us, yielding now none at all; upon particular information from our lieutenant there how the state of that land doth stand; we have thought good to give you authority according to your desire, to use your best discretion in raising benefit unto us, having regard in the disposing thereof to observe such premisses as heretofore have been made by our said lieutenant, to several persons owners of parcel of that country, of which premises some are passed by him jointly with you of the council, and some by himself; and of those that were made jointly with the council, the memorial will be found in the council chest there, and of those which passed from himself, he will advertise you, and thereby you may take sufficient light how to observe

serve this caution, the rest being left to your discretion upon this occasion : you move us next for power to be given you to take surrenders from the Irishrie, and to regrant them their estates, wherein you shall receive satisfaction when such commissions shall come to your hands as upon speech with Cooke and Davis sent from you, we thought good to direct unto you, amongst which you shall find such authority committed to you as in this point you desire ; and for the better execution of that and such other commissions, as by your former memorials brought by Cooke and Davis you require to be granted for the establishing of things in the province of Ulster ; we had before the receipt of these your last letters, caused our letters to be written to the earl of Tyrone and Tyrconnel, and other persons of quality in that province, to such purpose as you desire, of which letters there shall be half a score sent unto you signed with our hand, which when you have perused, you may seal with our signet there, and direct to such of them as you shall like best to make choice of : we do allow of your courses taken to clear that coast of pirates, by arming out some barks at our charge, against them ; and we are well pleased that you shall do the like as often as there shall be necessary cause, until we shall take order for some of our men to remain there, wherefore we mean to have speeche, and to take resolution with our admiral upon his coming home from his journey : we do also like of the journey
ney

ney of you, our deputy, intended into the north, as well for other causes as chiefly to compass things between the earl of Tyrconnell and Neale Garvey, touching both whose particular causes, this is our answer to that which you have written concerning each of them; first, for the earl of Tyrconnel, we do like well of your apostiles to the severall parts of his suits, recommended heretofore to you from our council; and for the matter of his surrender wherein it seemeth you have been somewhat dainty in regard of want of authority from us, if there be none other respect to stay you but that, we do hereby give you warrant and authority to proceed in it: but because we conceive he seeketh it with some drift to make to himself other advantage than were fit to be granted him, and as it seemeth by some here, he hath not wards to carry the Lyffer, we have thought it not amiss to give you this caution, that you be not overseen that under colour of surrendering his former letters patents, he get more than he had before, or surrender such lands as he hath gotten since from the freeholders of his county, and so pass a new estate of them to himself, the same being contrary to the purpose we have to establish freeholders in that province; rather you shall let him know that you will not accept of his surrenders, and re-grant his lands unto him, except he will relinquish all title and claim to the said freeholders, and suffer them quietly to enjoy their estates as they did before his first letters patents.

patents. And if he have not wards for the Lyffer, which Sir Henry Dockwray possesseth so much to be reserved, then all you can do is to seek it by voluntary composition, for in other sort we mean not to offer any violation to our word. For Neil Garvey, we are contented and do hereby authorize you to pass unto him such lands parcel of Tyrconnel, as were excepted out of the earl's grant and reserved in our hands, having care that you make the said lands as certain and as well distinguished as possible you can before you pass the grant; and we are likewise pleased to the end that quietness may be settled between him and the earl, in your treaty with the earl you shall make as good an accord as you can between them, and for the doing thereof these your letters shall be your warrant: and like warrant do we give you hereby to pass to the heirs of Sir Bryan Mc Phelim, namely Shane Mc Bryan O'Neile, the son of Neile Mc Hugh O'Neile and the ancient freeholders, such portions of the lower Clondeboy, as you in your discretion shall think meet to be allotted to each of them. Touching the resolution you do crave that we would interpret ourself upon such warrants as here before we have granted to divers of our servants for lands in fee-farm, comparing the same with such restraints as we have likewise made of lands of several natures not to pass, we would have you understand, that it is impossible for any direction to be given from hence, so expressive as may not be ambiguously construed,

construed, if men take every thing literally, and do not rather use the true meaning than the word, for it was never our purpose, that our restraints given but by way of caution should be so construed as utterly to frustrate our rewards intended to our servants, nor our warrants given to them so liberally as to take from us any thing that were with notorious inconvenience to be let go; but that the discretion of you and our council, and such other of our officers whom it concerneth should be moderate between both, as that our gifts to our servants be satisfied with those things that be of least prejudice to us, wherein if any of you doubt to resist any man's importunity in doubt how we will protect you, it is that whereof you nor none else shall have cause to be jealous, for it hath ever been our custom, and shall be, to protect publick ministers.

L E T T E R VII.

To our very good lord Sir Arthur Chichester, knight, lord deputy of the realm of Ireland, and to the rest of the council there.

JAMES R.

AFTER our very hearty commendations to your lordship and the rest, the report and the reasons of your proceedings are rather beginning to redress the corruptions of religion
in

in that state; and the great enormities that do and may ensue thereof, have been by your letters of the 5th of the last month, so well delivered unto us, as might suffice for answer briefly, and in generality to return our approbation of your doings, if it were that we suppose that you are desirous to receive the same by a more expresse declaration of our mind in the particular points. And that it may do some good with those that are averse in religion, and affection to find so perfect a consent and concurrence of our judgment with yours; and therefore to follow the steps of your own letter, when we consider how pitifully in respect of themselves, and how dangerously both to this and that state the people there by the wicked seducements of seminary priests and jesuits are addicted unto their superstition; and that there is no other means to reclaim them, than by a commanding authority, that may draw them to be present at Divine service, and to hear God's word for their instruction; and that the commandment cannot take place unless it be published, nor be any way so well published as by proclamation, nor the proclamation be available, unless punishment be imposed upon contemptuous disobedience: We cannot but approve the course you have taken, and so much the rather, because this disobedience being shewed by those that are in the eye of the state, and magistrates in the chief city of that kingdom, it was not to be suffered, that either their example should by impunity animate others

others to the more obstinacy, or that the honour and authority of the deputy should receive such an affront, as to be left publickly by them, where they should especially attend him; or that his majesty's lenity and gentleness, being desirous to reclaim his people rather by instruction than by sharp and rigorous correction, should so be misconceived and misinterpreted, as he would be content to permit his people to make open profession of that religion, or rather damnable superstition; whereby, as it appeareth daily more and more, they are not only withdrawn from the true worship of God, but from their allegiance unto himself. And as we think both the order that you have taken for reformation, and the punishment that you have inflicted upon some of the aldermen of Dublin, and certain others, whom your letters mention, for their contempt, to be not only just, but necessary, when you found your endeavours by admonitions and persuasions not to be regarded. And do conceive the like hope with you, that as some are already, so many more will be by this means brought to conformity, who perhaps hereafter will find cause to give thanks to God and you for being drawn by so gentle a constraint unto their own good: so we are of opinion, that the petition, or rather opposition, made by the noblemen and gentlemen of the pale, against the course you have taken, deserve that censure which you have given of it, and not less punishment than you have decreed against the spe-

cial authors and instruments that set it on foot, which though it be shadowed and covered with words of much humility and dutifulness, and with an outward form of submissive petition, yet who can be ignorant that such petitions consulted upon in conventicles, agreed by combinations, and offered against a publick resolution of state; howsoever, they are mannerly in outward appearances; yet, in very deed proceed commonly from a mind apt to disobedience, which many might doubt, if it had means and opportunity, would utter itself in another form. But we will think better of these men, and hope that this gentle remembrance will make them more advised hereafter, amongst whom it would not seem strange unto us to find Sir Patrick Barnewall, having had some proof heretofore, even in a like cause, of his unquiet and troublesome spirit; but that we thought he would have made the experience and acknowledgment of his own former error and rashness, a sufficient lesson for more temperate and dutiful behaviour. But forasmuch as he did not only make himself a principal instrument with the rest in the petition; but also as you signified when he was called to account for it, obstinately, and in indecent manner, defend it; and moreover hath laid an imputation of great injustice upon your proceedings, charging them to be very constraintable, and contrary to all form of law, and taxing therein the now chief justice Sir James Loy, for a man generally hateful and scandalous

scandalous to the place that he holdeth, wherein he never had been placed, but that he was, and is thought a person of both very great judgment and integrity : we have thought meet to pray and require you to take order, that he the said Sir Patrick Barnewall, with such speed and opportunity as you shall think convenient, may be sent hither with some one of your servants in his company, after sufficient caution put in for his repair into this realm, and unto us, that we may the better by himself understand the reasons of his own justification in that presumption of his, to tax the state in general of injustice, and the court of chancery especially, of unlawful and disorderly proceedings ; as also to hear what the things are, in which he can make proof of such unworthiness in that minister, of whom his majesty had so commendation and experience, and still retaineth so firm an opinion, as he will be pleased not to alter or change the same, until he find very just and sufficient proof to the contrary. And to the end he may before his coming from thence be better prepared to yield you reasons of the imputations before-mentioned, or by his letters hither, knowing his charge, write over somewhat unto us ; we have sent you some particulars of his information to one of this table : as for the rest, we refer them to such order as you have taken, or shall see cause to take, according to justice, and their merit ; hoping nevertheless, that either they have already made, or will make such amends for their

fault, by submission and acknowledgment, as may give cause of favour towards them; and for our parts we shall ever be so far from giving way to any that may come from thence, to impair the credit of your actions, by any suit or endeavour, either to his majesty, or unto us, especially in a matter of this sort, wherein we are bound to concur with you, not only in justice of state, but only in conscience towards God, as that you shall be sure to find us always ready and willing to join our advice with yours, for the best service that may be done to God and his majesty herein, concerning any other particular of your letter; as namely, the publishing of the manner of the late inhuman and detestable treason against his majesty's sacred person, and the whole state; the true notice whereof, as you signify, bred good effects of publick gratulation, and for repressing of strange reports, the restraint of passage hither of Irish soldiers, or suitors at this court, or common beggars abroad; and your purpose of causing a translation to be made of our common prayers into the Irish language: we need not to return any more words, than that these things deserve commendation and thanks. And as for the absence of the treasurer, and supply of the place of the ordnance, as his majesty hath in the latter made a very good election; so will we not be unmindful to take order for the other, as soon as it may be with convenience, and according to his majesty's good pleasure. And so we bid your lordship very heartily

heartily well to fare, from the court at Whitehall, the xxiiiith day of January 1605.

Your lordship's very loving friends,

R. Cant. T. Ellesmere, canc. T. Dorsett.
 Nottingham Suffolk. Gilb. Shrewsbury.
 E. Worcester. Devonshire. H. Northamp-
 ton. Salisbury. Exeter. E. Zouche.
 W. Knollys. E. Wotton. Jo. Stanhope.
 Jo. Fortescue. Jo. Popham. Harbert.

L E T T E R VIII.

To our right trusty and well-beloved Sir Arthur Chichester, knight, deputy of our realm of Ireland.

JAMES R.

RIGHT trusty and well-beloved, we greet you well. Having made some alteration in the establishment of our forces and charges of that realm, wherein we had used the advice of the late earl of Devon, our lieutenant, before his sickness, and by him perceived, that he had therein taken some information from you, we have thought good to direct the same to you, signed with our hand, to serve for your warrant, to reduce our garrison there to the state thereby prescribed, and from henceforth to make out all your warrants for payments, according

to the same. And we have signified as much to our treasurer, and delivered him also one other copy of the same establishment, signed with our hand, to remain with him for his direction. And we doubt not but that our pleasure being in this manner made known to you, you will conform yourself thereunto; and of your proceedings, to advertise us, or such of our council, as we have appointed to attend unto the affairs of that realm, from whom also such directions as you shall receive in our name, touching our affairs there, we require you to see performed. And although we have not cause to doubt any accident in that realm, that may occasion an increase of our charge, yet have we thought it convenient, for that your charge is over a people of uncertain disposition, as former proofs have shewn, to arm you with authority and warrant, that whensoever any thing shall happen, that you shall think meet to be prevented or resisted with a greater force than our ordinary there, and may not abide express direction from hence, you may at your discretion, levy one or two thousand men or more, and put them into our pay, and make warrant to our treasurer to pay them, until we shall give other direction. And where there were some officers, as a serjeant-major, a scout-major, and two corporals of the field, expressed in our said late establishment, which have not always been maintained as an ordinary charge, but only had allowance of entertainment, during the time of their employment in the field with
our

our army : and then by concordatum, considering that they are servitors of good desert, and fit to receive from us some consideration for their better maintenance, we are pleased, that the said scout-major and two corporals, shall receive the same pay that hitherunto they have done, but in another nature, namely, by way of pension, as by our said establishment now sent you will appear ; and with this caution, that not only they be in readiness to attend their places of scout-majors and corporals at all times, and as often as you shall have occasion to use them ; but also, that now for the present they do execute the place of provost-marshal, of which office you write, that there is great use at this time ; and they having our fee, are meetest to attend it, which therefore, in our name, you shall charge them to do. And for three other needless officers, namely, provost-m Marshals, viz. one in Carrickfergus, one in Loughfoile, and the third at Ballyshannon, which are not now necessary, and the persons exercising them not of such merit as others, we have eased ourselves of that charge, and left them out of our establishment ; and yet if there shall be occasion hereafter, to take any such officers into our pay again, our pleasure is, that these now discharged, be employed in them before any others. And where we have taken from our charge the number of one hundred and forty horse, and reduced our foot to eight hundred and fourscore, to be divided into eighteen several bands, as by

a list of them herewith sent you will appear ; and which bands are now cast, and have reduced the remain of our horsemen, to the ancient rate of twelve pence the piece, by the day, being informed that our treasurer at wars, for the time being, and the master of our ordnance there, have always had each of them a band of footmen, for their better security in all our services ; which nevertheless, have stood in the same rank with others, as well in being subject to musters and cheques, as in performance of all other duties required, but lately have been taken from them, by what reason we know not ; our pleasure is, that after this reducement of our army to eight hundred and fourscore, that upon the death or other avoidance of any our said captains of foot, the first band shall be assigned to our said treasurer of wars, and the second to the master of the ordnance, and they to retain them as in former times, till our express pleasure be signified to the contrary. And forasmuch, as sundry captains and officers lately discharged, have hitherto, as a charge stood in our establishment, most of which are absent from them, contrary to our former pleasure signified in that behalf ; some in the service of other princes and states, and other some rewarded by us with pensions, payable out of our exchequer here, we have now discharged them all. And if upon the perfecting of their accounts, to the last of the last March, it appears that any monies are remaining due to them, and owing by
us,

us, they shall receive order for the payment of the same, proportionable to the monies of that country. And for that in the late services in that our kingdom, fundry persons have been for their deserts, rewarded with pensions, above our ancient ordinary allowance of four pounds nineteen shillings and two pence *per diem*; our pleasure is, that as often as any of them contained in our establishment, over and above the said four pounds nineteen shillings and two pence *per diem*, shall die or alienate their said pensions; the said pensions shall not be granted to any other without our expresse letters, or letters from our council, signifying our pleasure for the bestowing of any such. And the said four pounds nineteen shillings and two pence *per diem*, to remain unabated, to be disposed of by you to recompence such servitors, as you in your discretion know are worthy thereof; wherein we must advertise you, that we are informed, that there hath been an ill custom in use there, to permit those pensioners when they grow old, to put away their places to younger persons, whereby seldom do any become void, for the reward of servitors, which was the true institution of that charge. And do thereby require you to have care, that from henceforth no such translation of pensions be suffered, but that as they shall fall they be conferred upon men of desert, wherein both we shall have both ease of charge, in that many may be so rewarded, who else will have pensions extraordinary, and our deputy there
from

from time to time have honour in providing for those that deserve well. We have also reduced the commissaries of musters to two, and no more; which being well looked unto by our muster-master and comptroller, are sufficient, with their assistance, to muster our army without any further charge to us; and for the Irish foot and horse by us hitherto allowed pay in our establishment, we doubt not but before this time they have provided also means for themselves to live upon, and not still be burthenfome to us; nevertheless, if you find it convenient for us to continue some of them in our pay, upon notice from you of their names and deserts, we will provide for them as is meet. And so having run through the particulars of our establishment, we further signify unto you, that our pleasure is, that all the abatements aforefaid, shall take end the last day of the last March; and this our establishment now sent you, to begin and take place the first day of this instant April; only the horse and foot to be contained in our pay to the day that they receive notice of their discharge; which notice, for the more speedy ease of our charge, we doubt not but in discretion you will cause to be given them with all speed, which course we likewise require to be held with those foot that were discharged the last year, by virtue of our establishment, beginning the first of April 1605, which arrived not there till May following, by which reason they could not be discharged before they had notice of our pleasure:

pleasure: and for your doing in this behalf, these our letters shall be your sufficient warrant and discharge. Given under our signet at our palace of Westminster, the last day of April, in the fourth year of our Reign of England, France, and Ireland, and of Scotland the thirty-ninth.

L E T T E R IX.

To our very good Lord Sir Arthur Chichester, knt. lord deputy of the realm of Ireland, and to the rest of the council there.

JAMES R.

AFTER our very hearty commendations to your lordship, *viz.* whereas it hath pleased God to call to his mercy our very good lord the earl of Devonshire, late lieutenant of Ireland, and a worthy member of this table; in regard of both which qualities, especially of the former, the greatest part of your directions have come from him, to whose experience and merit in that kingdom, his majesty and we did attribute so much, as we forbear in most particulars to intermedle; forasmuch as now his majesty's council is bound to resort to the course of former time, which is to hold that correspondence with you and that council continually, as you may both receive orderly directions when there is just cause, and be timely satisfied in your demands, we have thought good hereby
not

not only to give you assurance of the great care we have and will have for the good of that estate to which our publick duties tie us, but withal to give your lordship, his majesty's principal minister, and all that council thus much further comfort, that we will not be wanting in the true report and recommendation to his majesty of all your good endeavours both in general, and in particular ; you shall therefore now understand that we account it an argument of your good discretion, in that you have so well concurred with his majesty's intention concerning your late course with those that shewed so publick contempt to the religion professed by his majesty and the state ; the first part of your publick proceeding by proclamation, as you know being principally intended for preventing those mischiefs which were like to ensue by those false and current opinions which were received and factiously dispersed of his majesty's purpose, to grant toleration of popery in that kingdom, the same having both begotten great boldness and insolence in those that were before infected, and having in a manner invited such as were unsettled to fall from the profession of the religion avowed and established in both realms, wherein as we do very well approve your proceedings towards particular persons whom you find contemptuous and seditious, especially such as profess it so factiously, and there make themselves prolocutors for multitudes, avow harbouring and using of priests, and in a word so publickly
refuse

refuse that outward obedience and respect to governors and officers of authority, as it calleth the greatness of his majesty's power into contempt, and implieth a purpose in them to affront the true religion in them and professors of the same, so his majesty doth also wish it to be considered, that when the state hath once in such cases declared itself in general whereat it aimeth, the conformity must be wrought with time, and by the care which you must take to enlarge the passage of God's word, by choice and plantation of sufficient and zealous men to teach and preach the same to his people; wherein we have more hope of good effects by the favour of God, than by any sudden or violent course in that kingdom, where the people have had so little means as yet to be instructed, and so much for that point at this time. It now remaineth next, that we acquaint you with his majesty's resolution concerning the charges of his army yet standing in Ireland, whereof as as we do truly confess that we account the remain to be commanded by as choice and well deserving gentlemen as any prince or estate can have, not doubting but the world may make as good observations of the care which hath been taken to provide both stay and recompence for men of place and merit, when reason hath moved his majesty to cast the bands; so where his majesty hath lately taken a resolution to change the former establishment according to a list which we do send you here, with all the same
having

having been in effect agreed, but by the late lieutenant, as you well know by your mutual dispatches concerning the same, though the perfecting thereof was prevented by his untimely death; we assure ourselves you will be careful in this new alteration, to put the same in execution with all convenient expedition, and to make it appear in that side, that we have not so respected profit as not to have an eye over those which have well deserved, or that any one of us is so insensible of the value and use of men of martial profession, but that we hold it our parts to be as ready to represent and honour their honest and reasonable desires to his majesty, as we were in the times when there was great necessity to employ them. Only this we must say, for such is his majesty's own profession to all men, that those courses which have been taken in the distribution of his liberalities, must not be the rules by which particular men must rate their satisfaction now or hereafter, because the infinite weight of business lie so heavy upon princes and their ministers in their first beginnings of government, as it is very ordinary or at least no great error for princes, at such times, to yield somewhat to importunity and information in their gifts, in which, if his majesty should not continue when his state is settled, and the wants of his own crown duly considered, it were not only an argument of improvidence, but were rather an injury than an encouragement to the generality of good desert, which often times suffers

fers by seeing another extraordinarily rewarded, whose desert is unequal to his; though at the same time peradventure he have as much himself, or more than he could challenge, but by comparifon. And now concerning your arrear to the army, in refpect that proportion of treasure fent over, doth come fo fhort of the growing charge, we have now given order for as much as could be fpared; and do require you to take the beft courfe that may be to ftretch it out, affuring you that we will take fuch order ere it be long, as you fhall be provided to your better fatisfaction, for after you have once put that eftablifhment, which now is made, in execution, that will reduce the charge to fome fuch moderation, as we doubt not to be able to fend you over fo fufficient a proportion, as may enable you to make even at all times. For other charges, that pafs by concordatums, your lordship knows; and the reft there confift much in transportation of victuals, both by fea and land, from one place to another; which caufe will not abfolutely be taken away: nevertheless, we defire to hear fome demand from you, within what proportion you think you may limit yourfelves, that thereby we may the better advife you to eftimate the treasure, except fome great or unlooked for accident happen. Concerning the proclamation you have publifhed, for reftaining the importation of arms, munition, &c. into that kingdom, by
without
licence, together with your demands, that a
great

great proportion of powder may be sent into the kingdom from hence, for the service of the state, and use of the shipping, with your opinion, that many unserviceable and unnecessary kinds may be sent hither from the store, his majesty liketh it very well, and hath commanded us to make known his pleasure to the master of the ordnance, who is now upon dispatch. In all which particulars, amongst other things, we think it not amiss to remember you of this first, that you be very careful in the uttering of any thing out of his majesty's fort, for the subjects private use, at what price his majesty hath it here, and what is the charge of transportation thither, for otherwise the loss will be great to his majesty, by this course. Secondly, where we observe your demands for supply of carriages, and other things, belonging to the mounture of your great artillery; we would have it well considered, that many of those pieces of great ordnance, which were carried in the time of the earl of Essex, are fitter to be returned into England, than to have any new charge bestowed upon carriages for them: but hereof we will forbear to speak any further, because the master of the ordnance is upon his dispatch. Concerning the former motion made for compounding for pensions, it may appear unto you by the list, what order we have taken, to which refer you with this liberty, that if you know any thing in that particular which might be better ordered for his majesty's profit, we desire to be advertised you shall likewise
 very

very shortly receive further help in his majesty's service by Sir Richard Cooke, his majesty's secretary, and so shall you likewise by a gentleman of very good sufficiency, whom his majesty hath appointed to succeed Mr. Treasurer, his name is Sir Thomas Ridgwaie, and he prepareth to be gone about August: we have also thought it good to move the king, notwithstanding these abatements intended, to give you commission upon any sudden irruption in that kingdom, to levy one thousand men or more, to make resistance in case there be so great necessity as you cannot attend to hear from hence, wherefore before you put them in pay, you shall do well, if such an accident shall happen, to give us speedy advertisement: you shall understand that these parts about London and elsewhere, are exceedingly pestered with a multitude of beggars of that country, being most of them peasants with wives and children, the disorder whereof must needs proceed by negligence of the officers of the ports and owners of barks, by whose means their passage is suffered and obtained, for which we pray you to take better order, and severely to punish all offenders; considering how great a dishonour it is that strangers should behold them in our high-ways and streets, and what a great eye sore and burthen it is to his majesty's poor subjects in this kingdom. Lastly, whereas his majesty for the better quieting of the middle shires between England and Scotland, thinks it convenient to have

some families, especially of the surname of Grauers, transported from thence into Ireland, we have thought it good to advertise your lordship of it, and to require you to advise amongst yourselves how the same families might be conveniently dispersed, and what lords and persons would be willing to entertain them. So we bid your lordship heartily farewell. From the court at Whitehall, the last of April 1606.

Your good lordship's very loving friends,

T. Elsemere Canc. T. Dorsett. Nottingham.
 Suffolk. Gil. Shrewsbury. E.
 Worcester. H. Northampton. Salisbury.
 E. Zouch. W. Knollys. J. Stanhope.
 John Popham. John Herbert.

LETTER

L E T T E R X.

To our right trusty and well-beloved Sir Arthur Chichester, knight, our deputy of our realm of Ireland, and to the rest of our council there.

JAMES R.

RIGHT trusty and well-beloved, we greet you well. We have received your letters, one of the 30th of the last month, from you our deputy and council, the other one the fifth of this month, from you our deputy alone; by the perusal of both which, we do collect a kind of invitation of us to some increase of our charge in that kingdom for some respect by you alledged, and differing from our last establishment; wherein, as by our former directions sent unto you, and by the reasons of our proceedings in such manner as we have done, with the lessening of our army both in number and in pay, you may easily gather that it is unreasonable to solicit us to any augmentations, so, for aught we find in your said letters, we see no cause to assent unto any of those propositions; for when we do consider that by God's favour and goodness there is an universal peace in that kingdom, and likely to continue, by reason of the nearness of our kingdom of Scotland to the most doubtful parts of it, whereby we shall have better commodity

at all times to transport men or victuals into those quarters : and forasmuch as no man can deny but there is as good plenty now, and more daily to be expected of all things, as hath been at any other time of peace, and our pay now established in the self-same sort, which in those times of quietness was used there, and only encreased upon the breaking out of these rebellions or invasion expected, when the men of war were to sustain more difficulties than now they do, seeing it shall be within our power at all such times as they shall happen, as we hope they shall not, especially if you, and other our ministers there, be careful to do your duties in the execution of justice, as hitherto you have done. To make such alteration of our pay as we shall have cause to do, we have thought meet hereby to let you know that we find no reason to move us either to increase our pay, or to reduce the coin there to the rate of this our realm of England ; the rather considering that our progenitors did ever maintain a difference between them, and held none other standard for that kingdom but the very self-same which we have restored ; nevertheless, where in a proclamation published there the 11th day of October 1603, it is said that the pieces of that standard, of nine or five, bearing the name of a shilling, shall go current, and be taken for twelve pence sterling ; that word sterling hath bred an error, and is so construed, as if it were to be taken for sixteen pence of the money of that country ; so that he that is to pay us
for

for rent or otherwise, sixteen pence Irish, delivereth for the same but one harp, and esteemeth the same as sixteen pence Irish, because the proclamation saith it is current for twelve pence sterling, which maketh sixteen pence Irish; we think fit, that by another proclamation, you do explain the same, and abolish the same name and use of sterling in that kingdom, and signify that the same piece of shilling, being of the standard of nine pence of silver, is to be current in that realm for twelve pence, and that the same is to be called twelve pence Irish, and not twelve pence sterling, and so all pieces of the same other coin after that rate; for that sterling is of doubtful signification, and it shall be more plain to us hereafter of all receipts and payments, the title of current money of Ireland, by which shall be understood money of the standard of nine or five, proper to that kingdom.

As for money according to our advertisement to you, we have now allotted for the service of that kingdom twelve thousand pounds, whereof four thousand pounds are here paid in monies of England, and not in harps, to discharge your credit for money borrowed there, and eight thousand shall come to you in specie, to serve for growing charges; and some other of those sums of money which you have lately taken up, if you shall think fit so to dispose it. The master of the ordnance hath received his dispatch from us a good while since, but hath staid here about some transport of the munitions, but we have

now peremptorily commanded him to be gone, and with him goeth some such proportion of powder and munition, as is now ready, and the rest shall follow after.

WHERE you desire that we would limit a certainty for extraordinaries to be disbursed by *concordatum*, we do not think it good husbandry for us so to do; for that we assure ourselves, that whatsoever sum should be allotted certain, would be certainly expended, as a thing warranted; but we think it fitter to make trial of your discretions and providence, by using the said *concordatums* only upon urgent services, and certifying the same to us every three months at the farthest, so as we may thereby discern what the care is which you use in bestowing our treasure, and comptrol such titles of expence in extraordinaries as we mislike. Touching Sir Oliver Lambert, and the disposing of the fifty horses which were under his charge, the allowance was made upon good deliberation; and the five and twenty horses thought good to remain at Ballyshannon, where they do, and under the same person, because he is resident there, and the other not, and we see no cause to change that order; but because Lambert is an ancient servitor there, and of good desert, we are pleased, that besides his ten shillings by the day, which he hath as you know, and that grant of your possessions, which we are not ignorant to have been beneficial to him, we are pleased that he shall continue his lordship's pay, namely, four shillings by the day,

day, as he had before his discharge, until we shall otherwise advance him to some office or other benefit which shall fall in that kingdom or elsewhere, without any further charge, of which it is high time to begin to think, and not still to trouble ourselves with other particulars, and forget our own. The fifty foot which were Sir Samuel Bagnell's, and discharged by the establishment, retained by you for the reasons in your letters contained, we are pleased, that until the end of your journey intended, they shall remain in our pay, but then to be discharged according to the establishment, and for that time our pleasure is, that our treasurer shall cause them to be paid. For governors, not mentioned in the said establishment, we persist in our former direction, that such as are not mentioned in the said establishment, or have not their places by letters patents during life, shall be discharged; and so you may let them understand, the rather considering they have been suspended a good while since. And where you have recommended to us certain Irish to be continued in entertainment, we are pleased to allow a charge of three hundred pounds by the year for the entertainment of Irish, to be disposed at your discretion, either to these or others, only limiting for the present, that Tirlagh Mc Art. O Neile be specially provided for, at such rate as you shall think meet, and such other as may justly claim any consideration. As for provost marshal, we are to put you in remembrance, that there

are already four in our pay by letters patents, in each province one, which hath good entertainment, whom you are to compel to do their duties ; and yet if it be so necessary as you write of, that there be more, we can be pleased to allow of two or three in places most necessary, their entertainment to be accounted amongst the extraordinaries, and paid by *concordatum*, and to contain during our pleasure. And for the commissary of musters, we differ altogether from you in opinion of dividing the two allowed into four, because their entertainment will be so small, as will but encourage them to deceive us, rather we see no cause if this there were not men of desert which there should be any ; but that our army being now so small as it is, the muster-master and comptroller of the musters, having so good allowance from us, may by themselves and their deputies, do the service sufficiently without any commissaries, and so we expect they should.

TOUCHING a motion made from you, about the sitting of courts of justice within the Castle, and over the munition houses, we have considered that the same is very inconvenient for many respects ; and having so gracious a respect to persons so well deserving, as we are willing to be at some charge for the removing of them to some other place, and upon inquisition do find, that the Blackfryers is held to be a place that may be well fitted for that purpose ; wherefore we are pleased, that you shall cause the same to
be

be viewed, and an estimate made of the charge for preparing of it; and upon information thereof from you, we will give warrant for proceeding therein. Given under our signet at our manor of Greenwich, the 25th day of June, in the fourth year of our reign of Great Britain, France, and Ireland.

L E T T E R X I.

To our very good lord Sir Arthur Chichester, knight, lord deputy of the realm of Ireland, and to the rest of the council there.

J A M E S R.

AFTER our hearty commendations to your lordship, and since committing Sir Patrick Barnwell to the Tower of London, where he doth yet remain, we commanded him to set down the principal heads of his exceptions, either to the proceedings of the state in general, to you the chief justice in particular: hereupon he wrote a letter to me, his majesty's principal secretary, whereof this is the copy; in which we note three special exceptions. First, he complaineth of sending forth of precepts under the great seal, to compel men to come to church. The second, he complaineth against you the chief justice, for denying private men to see their indictments, and hereto addeth an information of raising some new and excessive fees; by all which, though we perceive sufficiently that

that this proceedeth from him from an unquiet spirit, labouring still to make himself great in that station, which is adverse to the state, of which we have made him perceive and feel our judgment: nevertheless, we think it good, before we fall to any usual order with him, to acquaint you with our desires to be somewhat cleared in the first important matter, to the intent that when we know your ground, we may the better pronounce and publish the offence of any that have or shall presume to censure your proceedings. And this we do the rather, because we pre-suppose you would not have taken that course, but that you find there some particular authority by law or precedent, which as yet is unknown unto us here. For the other two, we send you what he saith, and what he offereth to prove, to which we would have you send us some answer, rather for form sake, than that we doubt of your being easily able to give us sufficient satisfaction when you shall make us any answer, considering of what condition those things are. In the mean time, forasmuch as concerneth you Sir James Loy, we pray you to comfort yourself, that it is not in the power of false and forward informations (if they were never so probable) to make any suspense of his majesty's gracious judgment of your integrity, without clear and evident demonstration, knowing well that the execution of justice itself makes magistrates obnoxious to malice and complaints: in which respects we are commanded by his majesty to require

quire you to forbear to come over, both because the same will be interpreted to your disgrace, of whose credit we are careful, considering the circumstances of his complaints, as also in respect of that necessity which the state hath of your service there; especially in a time when his majesty hath granted sundry commissions to be executed for his service there, and given so many new directions upon the death of the late lord lieutenant; and so we bid your lordship, &c. heartily farewell. From the court at Greenwich, the third of July 1606.

Your Lordship's, &c, very loving friends,

R. Cant. T. Elsemere, canc. T. Dorsett.

H. Northampton. Salisbury. E. Zouch.

W. Knollys. Jo. Stanhope.

LETTER

L E T T E R XII.

To our very good lord Sir Arthur Chichester knight, lord deputy of the realm of Ireland, and to the rest of the council there.

JAMES R.

AFTER our hearty commendations to your lordship, and having received sundry dispatches, some dated in July, and some in August, in which there are many things considerable for his majesty's service, and the good of that kingdom, we have descended into that particular consultation, which this present time can afford us; and thereof have thought meet to make you acquainted by these our letters, grounded upon your's, as upon large speech with our very good lord the earl of Clanrickard, to whom you have committed divers things, by way of memorial, to represent unto us; which he hath done with very great discretion and zeal to the publick service; besides good demonstration of his particular affection to yourself. By your letters of the 18th of July, we find these particulars principally intended; first you give reasons why the standard of Ireland should be reduced to the standard of England, and for the stay of the proclamation for coin: the other in respect of the word sterling inserted in the proclamation;

proclamation ; adding further, that 8d. *per diem* Irish, is too little for soldiers to live on. To all which for the present, concerning the nature of the coin, you shall understand, that though we mean not at this time to give you a determinate answer concerning the point of the proclamation ; yet we know no cause for the union of the standards more at this time, than hath been thought convenient in so many ages before ; and for the pay, first it is such, as this state cannot bear, which hath had so little time to respire, after the intolerable consumption by the wars ; and which is more, the motion seems more unreasonable, because we take the same to be as high as ever it was in time of peace, before the great rebellion began in Munster, whereof the earl of Desmond was the principal, to which our labour must now be to reduce that state in all things, especially in that kind ; whereunto, because the earl of Clanrickard and some others, have made a reply, that the soldiers might live in those times better upon that pay, because they were also allowed cesse upon the country ; we have made this answer to that, that it shall not appear, though cesse was then used before commission, that their cesse was enjoined, and pay together at any time, but with a defalcation of so much of their pay, as their victualling was rated at. Of which particular, because we could be content to be truly satisfied, we pray your lordship to take order, that some of the table, such as are of best experience,
may

may be deputed to look into the accounts of former times, and may advertise us truly, what they find to be the condition of those payments, for our better satisfaction of the truth of those allegations ; whereof we think no accounts will better satisfy you, than some of those which passed in the time of Sir Edward Fitton. Concerning the contents of your letter of the 29th of July, and some others, which do particularly complain of lack of treasure, and distribution of several sums, before that came hither ; we pray you first to conclude, that it is no neglect from hence that stayeth your supply, but that necessity, with which you must a little temporize, until some better provision may be made, both to clear the just debts taken up for the army, and the growing charges ; wherein we do acknowledge, that there hath been disorder committed by the treasurer's ministers at this time, in a taking upon them some payments unwarranted, for which we have sharply reprov'd them ; there being no other meaning in any of us, but it should have wholly come over, to be distributed there by your knowledge and direction. And for the point itself, which you observe, namely, the portion of 12000 l. is not answerable for the state wherein you stand, some debts taken up by your own credits pressing you, to that which the very growing charge itself doth spend : we can only say for the present, that your own order of it may in some measure prevent notorious breach of credit, if
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for a time you be careful, to pay the debts you have last borrowed, and so borrow again, till new come over ; which course will give some satisfaction to the lenders, when they shall see care in the state to observe promises, though you pay one month and borrow another. In which time you might have used your own liberty ; for although by me the lord treasurer, you receive direction for employing the treasure, which is sent upon growing charges, which I do, because oftentimes debts, or other things, and of some old date are paid, it was never my meaning, that any money lent you a month or two before, and only employed upon the army, should not have been in some such measure satisfied by you, as you should have found to stand with the honour of your word given in that behalf, of whose just dealing with men, even now, when the world beholdeth a diminution of the army ; we know the observation will be more subject to exception, than the not payment of the arrearages in the former time, because all men that are wise, looking back upon the high expence, will not find it strange, that some arrears of those times hang unsatisfied, when they behold how ordinary it is for great armies to receive worse payments, even under that king, which is thought most to overflow in treasure : of which subject, for the present, we intend no further to discourse with you, this being only to assure you we take care of you, and do seriously examine and consider all that cometh

cometh from you. Concerning the proceeding of the state, in sending forth the mandates by the judges, who desire to be spared till their return from their circuits, for giving their reasons; we allow it very well that they should take their time, it being sufficient for us to know that they have done it upon good grounds; because all such proceedings, in matters of religion, want not captious eyes in that kingdom, wherein, because we did sufficiently let you see by our letters, bearing date the 24th of January, with what bounds his majesty wished you to contain yourselves, as near as you could; we mean to touch that point no further at this time, saving only in answer of one part of your letter of the 9th of July, to let you know, that if any motion shall be made here for reviving of a high commission, it shall appear that his majesty thinketh the same unseasonable; and therefore, without order from him, we require you to forbear to give any way unto it. Of the fact done upon those that were sent to levy the composition money in the county of Meath, we hope to hear justice done, lest impunity in such things give animosities to others to grow to greater insolencies. But where there is a motion for the drawing of greater assistance of horse about the state, if that be as an argument of the encrease of new troops, his majesty no way tasteth it; but if you shall offer to ease his majesty's charge in some of his foot, or some unnecessary wards, upon certificates from your lordship and the council,

council, of that resolution ; we will procure his majesty's warrant for converting that charge into so many more horse as it will bear. In the mean time, for the disposing of the forces that are there, the whole is referred to your judgment ; with the rest of the care of all things in that kingdom. Concerning the chief baron, as we must needs commend your careful solicitation of his supply, because we see therein what eye you have to his majesty's profit, wherein he must be one of the principal instruments ; so we pray you think it hath been out of our care to offer to his majesty a good choice, that you have not heard sooner of the resolution therein, which is now in effect passed, as we hope by our next you shall understand. And thus for conclusion of this long letter, you may assure yourselves that we will hasten away the new treasurer with all speed possible, and with as good a proportion as we can ; and both in that, and in all things else, not only be careful to give you satisfaction according to our duties, in things that are incident to the publick, but even in your own particular, from time to time be ready to represent to his majesty the observation we have made ; and do of your lordship's plain and resolute course for his majesty's profit to offend others, the return whereof can be not other than a gracious consideration of you by his majesty, and whensoever occasion shall be offered. And thus having hereby taken notice, and returned you some answer of all your letters, as well to us in

general, as to some of us in particular, we refer you for answer to the earl of Clanrickard's instructions to such apostiles as we have made unto him. And so we bid your lordship heartily farewell. From Whitehall, the second of September 1606.

Your lordship's very loving friends,

Cant. T. Elsemere, canc. T. Dorsett. Nottingham. Suffolk. E. Worcester. H. Northampton. Salisbury. Jo. Stanhope.

LETTER XIII.

To our very good lord Sir Arthur Chichester, knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our very hearty commendations to your lordship, we have received your answer, dated the 10th of May, unto our letters of February last, which had reference to former letters of the same effect, in the behalf of Sir Thomas Burgh, knight, whereby we signify his majesty's pleasure, that no extent should go out, or any advantage of forfeiture be taken for any default of payments of such rent as was due to his

his majesty upon certain land that the said Sir Thomas Burgh held in the right of his wife ; by which your answer, it seemeth, that after good consideration you were doubtful and in suspence how to proceed, finding yourself pressed on the one side with the ordinary course of law, and on the other, with that direction from us, and signification of his majesty's pleasure ; by which occasion we are necessarily moved to renew the same direction for Sir Thomas Burgh's relief, and for your further satisfaction : for albeit, the ordinary course of law, not taking notice of any dispensation of the rent, proceeded according to the usual form against Sir Thomas Burgh ; yet, if Sir Garrett More knew his majesty's pleasure, which was signified by us, he was much to blame to seek that advantage ; and whether he did or not, there is no reason or equity that he should make use of it ; for seeing upon default of payment, either by negligence or casualty, the advantage of forfeiture is seldom or never taken by his majesty of the tenant in possession, and much less in equity, is allowable to any party to whom the king only intended in true construction a state in reversion ; in which kind we have thought meet for your better satisfaction, to give for some special precedents, to be sought of decrees, very advisedly passed here in the chancery, and with this our letter to be sent unto you, how much more unmeet it is, and against both equity and the honour of his majesty, that where his majesty

exprefsly and upon good confideration intendeth a grace and favour, and the present tenant relieth on it, the reverfioner fhould make the fame the means to fupplant and deceive the poffeffors. As for the reasons which Sir Garrett More hath alledged, and fet down at large in his letter unto us, to juftify the advantage he hath taken, and to procure the favour to hold it, protesting and declaring that he hath done it out of confcience, not for his own gain, but for the benefit and relief of his late brother's children, hardly used, as he pretendeth, by Sir Thomas Burgh; and withal mentioning some provocations, and as he faith, injurious courfes used by Sir Thomas Burgh in times past towards himfelf; firft, whether thefe imputations be true or no, we are not now to examine; and fecondly, howfoever they be, it is not reason that his majesty's favour intended to Sir Thomas Burgh, fhould be fo perverted, as to be made either a punifhment for fatisfaction of wrong unto others, or a means for Sir Arthur More to ferve his own turn of revenge, for any injuries to himfelf: and therefore, thefe reasons being in our opinion very fufficient, and howfoever the merit of Sir Garrett More may otherwife be very good, and fo we acknowledge it; yet, his majesty, making, as he doth, fome difference betwixt Sir Thomas Burgh and him, and a great difference betwixt a reverfioner that would feek but the eftablifhment of his own, and one that would by his reverfion fupplant another's
estate,

estate, as Sir Garrett More hath gotten the advantage by strict course of law ; so it is meet for the king's honour, and agreeable to all equity, that Sir Thomas Burgh, for recovering of his possession, have his speedy redress and relief there by chancery ; for which purpose, we do hereby renew the former direction and signification of his majesty's pleasure, and pray your lordship to take order accordingly with all convenient expedition. And so we bid your lordship heartily farewell. From the court at Greenwich, the day of July, 1606.

Your lordship's very loving friends,

R. Cant. T. Ellesmere, canc. T. Dorsett.
 Nottingham. Gilb. Shrewsbury. E. Worcester.
 H. Northampton. Salisbury. Exeter.
 E. Zouche. W. Knollys. E. Bruce.
 Jo. Fortescue. Jo. Herbert.

L E T T E R XIV.

To our very good lord Sir Arthur Chichester,
knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our hearty commendations to your lordship ; whereas we have perceived by your lordship's letters, with how good consideration you and the council have proceeded in the examination of the complaint of the O'Ferralls, against a grant made to the baron of Delvin, wherein although it appeareth that some things informed by them are avoided by the lord of Delvin, yet resorting always to the main ground, we cannot but confirm still, that either his majesty was not well informed, or else the grant there hath varied from his meaning, and exceeded the limits of his majesty's original letters, which your lordship knows ought to be the guide of all that is done on that side in things of this nature, in which consideration, forasmuch as we have seen or heard hitherto, this must be the way that can drive this matter to his majesty's end, who was and still remaineth graciously affected to gratify the lord of Delvin, but far from any meaning to have so neglected all others whom his grant may concern ; and therefore, as we have already perceived that you think fit there should be a reformation of that grant,

grant, seeing it can be effected only by one of these two means, which are either by finding a just exception to it in law, or else to deal with him to surrender the same, and take a new with moderation, for which it seemeth he is willing to yield ; we do first send you informations against the same, whereby it may appear unto him, if they be true, that his grant is voidable, and so no wrong done unto him ; if he will not yield to reason, whereof we desire your lordship so to make application, as his majesty may pass to the lord of Delvin those things which are reasonable, without doing that to others to whom his majesty intendeth no such course of severity, as it seemeth he would have taken. And thus wishing you and such of the council as are best acquainted with these things, had made a good end, we bid your lordship heartily farewell. From Whitehall, the last day of August 1606.

Your lordship's very loving friends,

R. Cant. T. Elsemere, canc. T. Dorsett.
Nottingham. Suffolk. E. Worcester.
H. Northampton. Salisbury. Jo. Stanhope.

INFORMATIONS and objections against certain particular passages contained in the grant to the lord of Delvin from his majesty, of lands in Ireland.

By the letters patents granted from his majesty to the lord of Delvin, the tenure of the land being held as of his majesty's manor of Granard, was altered into a soccage tenure, contrary to the effect of his majesty's letter and direction, there is taken away two hundred marks reserved by composition, and due upon that moiety of the country, which is passed in the grant, though the same was reserved in the office, and a particular returned in the behalf of the patents. Linia 5. pag. 6.

By the same patents is extinguished six cows issuing yearly out of the moiety granted by his majesty in the right of the manor of Granard, though Granard bounds were reserved in the office and particulars, Linia 5, pag. 6. By the same grant his majesty is deprived of the service of six horse-men and sixteen foot-men yearly, due to his majesty. His majesty is tied by that grant with a clause of exoneration from all other but the rent reserved in the patents, Lin. 28. pag. 29.

His majesty is bound by this patent, though not warranted by the letter, to grant unto the said lady and lord of Delvin, so much land elsewhere as shall be recovered from them by this grant *pro rata*. Lin. 37 & 38.

By

By this patent his majesty and his tenants are defeated of all the rights that shall be growing upon all or any the said lands passed in their patents.

L E T T E R XV.

To our very good Lord Sir Arthur Chichester, knt. lord deputy of the realm of Ireland, and to our very loving friends the rest of the council there.

JAMES R.

AFTER our very hearty commendation to your lordship and the rest: Having received a dispatch by master of rolls, and seen instructions given him, bearing date the eleventh of December, at very great length, containing particularly the report of your proceedings past, and requiring further directions in the future, we think it as just to give you assurance hereby, that his majesty alloweth that which you have done, as it is reasonable and necessary to signify his majesty's further pleasure concerning the indictment of the baron of Delvin and the fugitive earls with their accomplices, his majesty alloweth of the form you use to indict them. For the settling of the county of Monaghan, wherein you wish some change of English rent to Irish, differing

differing from the first conditions of the plantation, moved thereunto by the poverty and spoil of the county, we think it not inconvenient for his majesty to accord to the same in this manner, namely, that they take their patents upon the former reservation, with a clause to answer the rent in Irish account, during the term of seven years. Concerning the county of Fermanagh, perceiving how the state stands, they engaged to Connor, now Mc Guire, who continued still a good subject in the time of rebellion, for the whole country, wherein he might have complained of wrong in cause he had been as forward as other men, being reduced afterwards to one half; his majesty is graciously pleased, that you deal therein with him according to your best resolution: but for all other parts which are fallen to the king by O Lennagh, who is now a fugitive traitor, his majesty looketh that his shall be kept undisposed until the same be surveyed, and some project made, in what manner and upon what conditions the same may receive distribution to such persons as he shall think fit to inhabit it, which being sent hither by those persons whom we expect before the beginning of summer, his majesty will fall to short resolution touching the transplanting of the Moores, yet unfinished; and the like course to be taken with the O'Connors; you shall receive his majesty's directions here withal. Lastly, whereas you reserve in the conclusion of all your articles, to a motion for some such portion of treasure to lie

lie in deposits in that kingdom, as may enable you to give entertainment upon the sudden, to such numbers over and above the establishment, as may defend the state against foreign attempt or home rebellion; we have no other reply to make unto you for the present but this, that we do conceive that this motion cannot proceed from a greatness of providence and judgment, and therefore as you are counsellor to that state, we cannot but approve the same assuring ourselves you do us the like right to believe that it hath been left undone for lack of resolution, how fit it were but for want of means to effect it; and therefore in the first point, for the ordinary supply of the quarterage, if you had known when you writ what sum was at the sea side, it would have given you better satisfaction, for the sum last sent was sufficient to pay those forces till the last of December, reckoning them to be as many as by the establishment they are, which must needs serve for many days beyond the end of that month, seeing the computation was made for the pay of an army from September; we have also given order for the like quantity of treasure to follow, which will be on the way by the first of February, wherewith we persuade ourselves you shall be so well furnished, as you shall feel no lack, considering that the credit which you have used hath no way been blemished, all bills whatsoever having been orderly paid and satisfied which you have consigned over hither, which is as much as
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this dispatch will bring you in more certainty concerning these matters ; saving, take this for a certain rule, that we are already in some good forwardness, even for performance of that other part of sending you a convenient portion to be deposited according to your overture, which we had rather you heard to be arrived in that kingdom, than wait till it be gathered. It remaineth now that we say something to you concerning our intention to bring either Mc Mahon or O'Cahane to reason, if they stand out to open contempt ; first, that as far as may be without dishonour, you do draw them to obedience by shaking the rod over them, rather than by engaging his majesty's martial power : next, in case that fail, and thereby the notoriety of their refusal give ill example to others, his majesty is pleased you shall use your discretion in ranging them to conformity, by drawing down some force upon them. Touching the men sent out of Northumberland ; whereas we understand that thirty were presently sent back as utterly insufficient, though if it were so it might seem so much the less strange, because they were of a country where no such levy was made before, yet we think meet to let you know, that it likewise has been avowed unto us by some gentlemen of good credit where the men were levied, that they were very serviceable, so as we cannot but suspect that there was either some change of the men in the way, or else that some of your officers that took the view of
of

of them, did deceive or were deceived ; and therefore we desire you to inform yourselves well of it. To some other particular points of your letter of the seventeenth of October last, we will take respect to make answer until our next dispatch. And so we bid your lordship very heartly well to fare.

From the court at Whitehall the 24th of January,
1607.

Your lordship's very loving friends,

Thomas Ellesmere, can. Thomas
Dorsett. Nottingham. Thomas Suf-
folk. Northampton. Salisbury. Dun-
bar. Edward Zouche. Julius Cæsar.

LETTER

L E T T E R XVI.

To our very good lord Sir Arthur Chichester,
knight, lord deputy of the realm of Ireland,
and to the rest of the council there.

JAMES R.

AFTER our very hearty commendations to
your lordship and the rest, we have of
late received from you the copies of divers char-
ters granted by sundry kings and queens of Eng-
land his majesty's progenitors, unto several cities
and towns in the kingdom of Ireland, together
with certain suits of *quo warranto* and pleadings
thereupon, considering the customs; all which
his majesty's learned council in England having
by special commandments advisedly perused and
duly considered, have given us to understand,
that in their opinions, the privileges of such
towns as have already pleaded, are not only in-
sufficient in law, but their grants also of no va-
lidity to give unto them the subsidy of tunnage
and poundage, which they claim by the same:
and for those other towns which have not yet
pleaded, the charters upon which it seemeth their
claims must be founded, will not serve to give
the subsidy of tunnage and poundage unto you;
so that it appeareth unto us, that none of them
have

have any ground either to free themselves from paying unto his majesty the said subsidy of tunnage and poundage due by themselves, nor to enable them to take the same from strangers to their own use; in regard whereof they having for many years taken and obtained the same as their own, it would not be amiss they be made known they are in arrearages to his majesty in great sums of money, which if he should with severity exact, as he may, must lie very heavy and burthensome upon them; nevertheless because his majesty hath a meaning to deal graciously with them, and so would have them made to understand, his majesty is pleased that you should summon them together to come before you, and then to let them know the weakness of their pretensions and claims, with this further offer, in case they would yield themselves from henceforward to pay subsidies of tunnage and poundage, and refrain the receiving of the customs of strangers, that his majesty will be pleased to remit and pardon all the past concerning the same, which gracious offer if they shall wilfully contemn, and only stand hazard and trial of the law, it shall then be fit for them to advise themselves how easy it will be unto them when his majesty shall be against his will constrained to make use of that which law and justice will afford him. Lastly, because we hear that it hath been spread abroad that his majesty means to bestow the benefit of the customs in that kingdom on some of his great servants or subjects;

subjects; we have thought good to let you know, that although his majesty is to give no account to any what he doth with his own, yet that it is far from his intention to grant the benefit of that which shall arise by the customs of a whole kingdom, though his majesty hath been moved by persons of great and meaner quality to look into the wrongful detention of that which is due; and therefore we pray you, use your best means to make the same known, not only because ye shall speak the truth, but because they that shall be willing to yield conformity, may not suspect that they shall be left in the power of any subject, but only depend upon his majesty's own pleasure, nor to be otherwise used than is fit for merchants in their honest trade. In which, when it is settled, it shall be fit for you to take care that his majesty's officers be neither so remiss as to suffer him to be defrauded, nor so severe as to use any oppression to his people. And where we understand that the suit upon the *quo warrantoes* is presently prosecuted by his majesty's attorney there, against these towns, we think expedient stay be made thereof until you shall see the effect and event of these our letters, that upon our certificate thereof some further direction may be given from hence; and not less expedient that you should advisedly consider of a certain privilege called the Trinity Guilde, which we are informed these towns pretend to their own prejudice. And so for this time we commit you to
God.

God. From the court at Whitehall, the fourteenth of November, 1607.

Your lordship's, &c. ever loving Friends.

Ellesmere, canc. Thos. Dorsett. Nottingham.

Suffolk. Worcester. Northampton.

Salisbury. Julius Cæsar.

LETTER XVI.

To our very good lord Sir Arthur Chichester,
knight, lord deputy of the realm of Ireland.

JAMES R.

AFTER our very hearty commendations to your lordship. By the letters which we have received, it appeareth what course you have taken with the fugitives by indicting them in such a form as yieldeth his majesty very good satisfaction, being done in the face of their own adherents, and the bills found by so equal a jury, among which Sir Cahir O'Dohertie is noted to have been forward, and Sir Henry Oge O'Neile, which is a good argument of loyalty. Touching Mc Mahone, we think inconvenient by dismissing him; but for O'Cahan, whom it seemeth you have imprisoned, we like

well of the course you have taken with him, especially considering the corner he dwelleth in, and we allow also very well of your purpose for placing his son in the college.

For the treasure which should serve till the end of March, it is now issued forth, and as some comings in of money are performed which we expect shall be made good, we have nothing more in our desire than to see you furnished by anticipation; though until that can be done, we do all our best to see all your bills so well paid here, as we hope you shall have the less cause to complain. And considering the report which Mr. Treasurer hath made of the issue of the revenue, allowing it to be no more in surplussage but three thousand pounds sterling, in respect of the other standing payments that it beareth, we do acknowledge that his majesty hath very great cause to commend and accept his carriage in that place for many respects; and that he assureth himself the demands he maketh are intended for the good of the service, yet he would be glad to receive from you some of those ordinary payments, because, until that, some arrears have been directed to him out of the revenue, which may make in the annual computation.

But for the matter of *concordatum*, the charges of the army are supported by the establishment, we must deal plainly with you; we know not why the five thousand pounds Irish, arrived last year, should not be sufficient, or a little

little more, than that surplussage you seek, except you intend some of those fortifications which are now in question ; saving, that we will not hide from you, that in the proposal of many allowances made even to divers of that table and others, both for ~~the~~ there ; and either we find too loose a hand, and in the latter find too ordinary for men that come over for their own private affairs, to be allowed great entertainment by the day only, because at time some particular relation or instruction is given them for his majesty's service ; which though dispatched in a short time, yet the remain of their stay here is still at his majesty's charge, so as at this time we have forborn, at the request of Mr. Treasurer, to add four thousand pounds *per annum*, the quarterly allowance, until the next sending over of treasure, and some answer upon this point. Where you write that some of the rents of Tiron and Mc Guire may go to the repairing of the forts, it is a thing that shall be most agreeable to his majesty, that the unfortunate kingdom of Ireland might have sufficient store of milk in her own breast to nourish her own children : so as when we may have any reports what profits will come to the king, what forts you have resolved to maintain, and what charges shall be thought fit to be employed, you may be assured you shall receive warrant for it ; it being all one to the king, if he must pay, whether it go out of this exchequer or that exchequer. And being put in mind by this discourse of the
forts,

forts, how fast Loughfoil doth decay, which you know did first open the gap for his majesty's entry with many numbers into the bowels of the northern territories; we think it a kind of justice due to that ominous place, to recommend unto you the care and consideration thereof, and to move you to give to it specially all means you can for the drawing of any profit to it, that a plantation so well begun, and with so great charge, may not be neglected or abandoned. For that which you have written concerning Delvin, whose friends seem to insinuate that he would render himself, upon assurance of his life, you have done well to keep up his majesty's honour as you do. We bid your lordship, &c. heartily farewell. From Whitehall, the 20th day of November, 1607.

Your lordship's very loving friends,

R. Cant. J. Ellesmere, canc. T. Dorset.
 Nottingham. Suffolk. E. Worcester.
 H. Northampton. Salisbury. Jo. Stan-
 hope.

The end of the FIRST VOLUME.

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